

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10503-2020 (O&M)
Date of Decision:- 10.6.2020

Rajender

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Suneel Ranga, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.223 dated 31.10.2019, Police Station Sector 13-17, Panipat, under Sections 1, 14, 61 of Punjab Excise Act, Section 420 IPC (Sections 467, 468, 471, 120-B IPC added lateron).
2. The case of the prosecution is that the police received secret information to the effect that a truck bearing registration No.HR-69-A-2110 was coming from Karnal towards Panipat in which liquor was being carried illegally. Pursuant to the said information

barricading was held and the truck in question was stopped. The driver of the truck upon inquiry disclosed his name as Rajender who produced an invoice of cattle feed but when the truck in question was checked 528 cartons of liquor branded as “Crazy Romeo” were recovered. Later on, upon inquiry even the invoice of cattle feed was found to be a forged document.

3. Learned counsel for the petitioner has submitted that he has falsely been involved in the present case and that in any case even if the FIR is taken to be correct the allegation in question would constitute an offence under the Excise Act only. It has further been submitted that the petitioner in any case has been behind bars since the last more than 7 months and that in these circumstances he deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that during the course of investigation it had been found that the petitioner had used the PAN Card of M/s Satish Kumar Transporter Company for the purpose of preparing forged invoice and that since huge quantity of liquor was recovered from the petitioner, no case for grant of bail is made out. It has however been informed that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court. Keeping in view the facts and circumstances of the case and that the petitioner has been behind bars since the last 7 months, his further detention in the present circumstances would not serve any useful

purpose particularly keeping in view the fact that he is not involved in any other case.

6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

June 10, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No