

CRM-M-15744-2020

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-15744-2020 (O & M)

Date of decision: 25.09.2020

Vinay

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rohit Kapoor, Advocate,
for the petitioner.

Mr. Tarun Walia, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-24110-2020

Allowed as prayed for. Annexure P-3 is taken on record,
subject to all just exceptions.

CRM-M-15744-2020

Through this petition, the petitioner seeks regular bail in case
FIR No.131 dated 07.03.2020, registered at Police Station Sadar Sonipat,
under Section 61 of the Punjab Excise Act, 1914 and Sections 420, 467,
468 and 471 IPC.

Learned counsel for the petitioner contends that the petitioner
has falsely been implicated in the present case as the petitioner is neither
the owner nor tenant of the premises, where the alleged recovery was
effected from. It is further contended that the complainant and the
investigating officer being the same person has obtained false implication
of the petitioner inasmuch as no independent witness from the locality had

CRM-M-15744-2020

been joined to support the impartial and truthful version recorded in the FIR. While referring to the disclosure statement made by the petitioner, the learned counsel submits that the only allegation against the petitioner is that he used to put labels on the bottles of the liquor.

On the other hand, learned State counsel too referred to the aforesaid disclosure statement to contend that it defies the common logic that a person who does labelling on the liquor bottles, would not have any kind of complicity in the crime of the liquor. As a matter of fact, the disclosure statement of the petitioner speaks volumes of his culpability and involvement in the crime. However, he admits that there is no other case of similar nature pending against the petitioner.

I have heard the learned counsel for the parties.

As noticed above, the only complicity of the petitioner is to the extent of putting labels on the liquor bottles. The petitioner has been behind bars since 07.03.2020. Moreover, co-accused, Surender, is stated to have been enlarged on regular bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

25.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No