

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

CRM-M-24797-2020 (O&M)
Date of decision : 01.09.2020

Gurpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjeev Kumar Bawa, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl.A.G., Punjab.

JITENDRA CHAUHAN, J. (ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The petitioner seeks concession of bail under Section 439 of the Code of Criminal Procedure, in FIR No.0213 dated 09.07.2020, registered under Sections 61 and 78 of the Punjab Excise Act, 1914, Sections 328 and 420 of the Indian Penal Code and Sections 181 and 207 of the Motor Vehicles Act, at P.S. Phillaur, District Jalandhar.

States that allegedly four cans of spirit/alcohol were recovered from the petitioner. After his arrest, he has been made accused in four other FIRs. Sections 328 and 420 IPC are not made out and have only been invoked to add gravity to the act.

Learned State counsel submits that the petitioner is involved in another FIR. The challan is yet to be presented as the FSL report has not

been received so far.

Heard.

At this stage, this Court is not inclined to go into the merits of the assertions raised by learned counsel for the petitioner qua the factual aspect of the matter. However, as the FSL report is still awaited, keeping in view the law laid down by a Division Bench of this Court in ***Inderjeet Singh @ Laddi Vs. State of Punjab, 2014(3) R.C.R. (Criminal) 953*** and without advertng to the merits of the instant case, the petitioner is admitted to interim bail for a period of six months from the date of his release, awaiting FSL report, subject to furnishing bail bonds with two local sureties to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. The petitioner shall surrender back to the jail authorities on the date and time to be noticed by the releasing Court. In the interregnum, in case, the report is received and found to be positive, the same be communicated to the petitioner, who shall surrender to the jurisdiction of the concerned Court, within ten days thereafter.

Disposed of.

01.09.2020
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No