

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25310-2020 (O&M)

DATE OF DECISION: SEPTEMBER 3, 2020

BITTU SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. P.S. JATANA, ADVOCATE FOR THE PETITIONER.
MR. H.S. SITTA, AAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner Bittu Singh has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.0131 dated 2.8.2020, under Section 61 of Excise Act, 1914, Police Station Jhunir, District Mansa. The petitioner is in custody since his arrest on 2.8.2020.

As per the allegations contained in the FIR, when a police party was proceeding towards village Jhunir, Makhewala, etc. for patrolling and checking of suspicious persons, near Dera Baba Dhyan Dass an informer met them and told that Bittu Singh son of Maigal Singh, resident of Jhunir used to keep Lahan and illicit liquor at his house and today also, he is distilling the illicit liquor at his house and if a raid is conducted, he could be apprehended red handed. On the basis of said information, the present FIR was registered.

Learned counsel for the petitioner contends that the petitioner is presently confined in judicial custody and is no more required for

investigation, as the recovery has already been effected. He submits that the further custody of the petitioner may not be necessary. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned counsel for the State assisted by HC Kuldeep Singh has opposed the prayer, but does not dispute this fact that the petitioner is not involved in any other similar case.

After hearing the learned counsel for the parties this Court is of the opinion that the investigation of the case is almost complete, but trial of the case is likely to consume considerable time in the wake of outbreak of global pandemic, namely, COVID-19 in the region as certain restrictions have been imposed by State Government and District Administration in order to curb its spread, and therefore, further custody of the petitioner may not be justified. The petitioner is presently confined in judicial custody and is not required for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

September 3, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No