

**223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-33755-2020
Decided on : 17.12.2020

Ramandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mikhail Kad, Advocate
for the petitioner.

Mr. Sukhbir Singh, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.193 dated 05.07.2019 registered under Section 61 of Excise Act, 1914 at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner inter alia contends that no recovery of the country made liquor was effected from the conscious possession of the petitioner. It has further been contended that the petitioner is in custody since 13.07.2020 and only charges have been framed till date. Hence, there is no likelihood of concluding the trial in the near future.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has submitted that the recovery of 60 bottles of country made liquor was effected from the car, which was registered in the name of the petitioner. He on instructions from HC Rahul has conceded that the petitioner was not found at the spot at the time of

alleged recovery having allegedly fled away from the place on seeing the police party. He has further submitted that the prosecution evidence is likely to commence on the next date of hearing i.e. 11.01.2021. On a pointed query put to learned State counsel, he has submitted that the petitioner is not involved in any other case under the Excise Act.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 13.07.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

17.12.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No