

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

**CRM-M-42100-2020 (O&M)**

Date of Decision : December 22, 2020

Narender @ Mastu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vikas Gulia, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.  
(through video conferencing)

**ARVIND SINGH SANGWAN, J. (Oral)**

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.29 dated 28.02.2020 under Sections 420/467/468/471/483 IPC and 61 of the Punjab Excise Act, registered at Police Station Panipat Sadar, District Panipat.

Brief facts of the case are that the FIR was registered by the police on receiving a secret information that the driver of truck No.HR-69-A-6639 is coming from Karnal side carrying illegal liquor and is going towards Bihar or Gujarat. On receipt of information, the Investigating Officer called the Excise Inspector at the spot, along with Excise staff. The police and Excise Department laid a barrier on the national highway and noticed that the aforesaid truck reached at the spot. The Investigating Officer gave a signal to stop the truck and the driver of the truck told his name as Sajjan Singh and the person sitting on the conductor's seat told the name as Gobind. On checking of the truck, Lime Powder, along with bill was found and on further checking the body of

the truck by the staff of the Excise Department, huge amount of liquor was found. By arranging labour, illicit liquor was unloaded and it was found to be 640 boxes of Crazy Romeo (NV) quarter plastic packing and 295 boxes of Crazy Romeo (NV) quarter glass packing were recovered. Thereafter, the petitioners, who are the driver and conductor of the truck, were arrested and during investigation, it was found that they were carrying duplicate bills, fake bilities as well as the fake number plate of the truck and, therefore, while registering the FIR the offence under Sections 420, 467,, 468, 471 IPC and 61,1,14 of the Excise Act was added. The co-accused of the petitioner namely Gobind and Sajjan were found in possession of 1235 boxes of illicit liquor.

Counsel for the petitioner submits that the two of the co-accused of the petitioner namely Sajjan and Gobind have already been granted the concession of bail vide order dated 05.10.2020 passed in CRM-M No.14680 of 2020. It is further submitted that even one of the accused namely Ashok Jain, who is the owner of the distillery has also been granted the concession of regular bail vide order dated 04.12.2020 passed in CRM-M No.39653 of 2020. Counsel for the petitioner has also argued that the petitioner is in custody since 23.10.2020 and the custodial interrogation of the petitioner is not required.

Learned State counsel has not disputed the factual position but opposed the prayer for bail. It is further submitted that one more case of similar nature is pending against the petitioner.

Without commenting anything on the merits of the case, considering the aforesaid submission made by counsel for the petitioner and also in view of the fact that the petitioner is in custody since 23.10.2020; the co-accused of the petitioner have already been released on bail and the conclusion of the trial will take long time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

**( ARVIND SINGH SANGWAN )**  
**JUDGE**

**December 22, 2020**

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Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO