

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 07.02.2020

1. CRM-M-39550-2019 (O&M)

Jagjit @ Jeeti

.. Petitioner

Vs.

State of Haryana

..Respondent

2. CRM-M-43400-2019 (O&M)

Sohan Lal

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anuj Balian, Advocate for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana.

...

Manoj Bajaj, J.

This order shall dispose of CRM-M-39550-2019, filed by petitioner-Jagjit @ Jeeti and CRM-M-43400-2019, filed by petitioner-Sohan Lal, under Section 439 Cr.P.C. for grant of regular bail in case FIR No.136 dated 08.04.2019, under Sections 420, 465, 468, 471 and 120-B IPC and Section 61 Excise Act, 1914, registered at Police Station Sadar Thanesar. They are in custody since their arrest on 11.04.2019 and 07.04.2019 respectively.

The case of the prosecution is that on 07.04.2019, a secret information was received that accused Sohan Lal s/o Balbir Singh used to smuggle illegal liquor in connivance with liquor contractors by preparing forged bilty papers in truck bearing registration No.HR74-6111 and upon setting up a naka, the accused could be apprehended with liquor. Upon receipt of information, naka was laid and accused Sohan Lal was apprehended, who was driving the truck. On conducting search of the truck,

liquor was found, which was kept underneath the onion bags.

Learned counsel for the petitioner(s) contends that the investigation of the case is complete and the offences are triable by the Magistrate, therefore, further custody of the petitioners may not be required.

Learned State counsel assisted by SI Surinder Singh, has opposed the prayer on the ground that liquor was recovered from the truck which was being driven by accused Sohan Lal and the bilty papers produced by him were found to be forged. He submits that petitioner Jagjit @ Jeeti was made an accused on the disclosure statement suffered by co-accused Sohan Lal and from his possession, one forged bilty book has been recovered.

After hearing learned counsel for the parties, this Court finds that the challan has been presented and as the offences are triable by the Magistrate, therefore, keeping in view the fact that the trial of the case is likely to consume considerable time, further custody of the petitioners is not necessary. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Kurukshetra.

The petitions are allowed.

07.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No