

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

CRM-M-3979 of 2021.

Decided on:- February 22, 2021.

Krishan Kumar alias Jassi.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Amandeep Singh Jawandha, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, A.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.180 dated 18.12.2020 under Sections 420, 465, 467, 468, 471 and 120-B IPC and Section 61 of the Punjab Excise Act, 1914 registered at Police Station Shambu, District Patiala.

The aforesaid FIR was registered against the petitioner on the allegations that he along with other co-accused are preparing spurious wine in the area of Shambu and Patiala and are pasted their own fake logo on bottles and poured the said spurious wine in empty bottles and sell them under the guise of real wine. During the Nakabandi laid down by the police party, a car

bearing registration No.PB-39J-1476 make Breeza was seen coming and on signal, the same was stopped which was being driven by the present petitioner. On search of the dickey of the car, one Can plastic containing spurious liquor measuring 14 bottles, 14 empty bottles without any marka, one bottle of gum paste and one transparent plastic pipe about 3 feet were recovered.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 18.12.2020. The recovery of 14 bottles of liquor along with the car has already been effected. Though there are two other cases against the petitioner, but he is on bail in those cases. The trial is not likely to be concluded in near future.

Learned State counsel does not dispute the custody and status of two other case against the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 18.12.2020 and the recovery of liquor and the car has already been effected from him and the trial is not likely to be concluded in near future, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

It is made clear that in case the petitioner is found involved in any other case of similar nature, the prosecution shall be at liberty to seek cancellation of his bail in this case.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

February 22, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:

Yes

Whether Reportable:

No