

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4024-2021 (O&M)
Date of Decision:-22.2.2021

Arun Kumar @ Kala and another ... Petitioners
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harjot Singh Bedi, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Rajesh Kumar.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.307 dated 22.12.2020 at Police Station Division-A, Police Commissionerate, Amritsar under Sections 61/1/14 and 78(2) of Punjab Excise Act, 1914, wherein offence under Section 420 of Indian Penal Code was added later on.
2. The FIR was lodged pursuant to receipt of secret information to the effect that one Jatin Chhabra and Arun Kumar used to supply country made liquor. Pursuant to receipt of said information barricading was held and the petitioners, who were travelling in two cars i.e. in a Honda City Car and a WagonR Car, were intercepted. Petitioner No.1-Arun Kumar @ Kala was driving Honda City Car, from which 1 box containing 12 bottles of Bonbay Sapphere, one box containing 12 bottles of Jagermeiller, one box containing 12 bottles of Zampa, one box containing 12 bottles of Johnny Walker, one box containing 12 bottles Chivas Regal, one box containing 12 bottles of

Double Door, one box containing 12 bottles of Glenmorangle, two boxes each containing 06 bottles of Monkey Shoulder and one box containing 06 bottles of single ton liquor were recovered. Petitioner No.2-Jatin Kumar Chhabra @ Jatin Chhabra was driving WagonR Car, from which 6 boxes containing 72 bottles of black and white, 3 boxes containing 36 bottles of Valentine and 3 boxes containing 36 bottles of absolute Vodka liquor were recovered.

3. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and that, in any case, keeping in view the nature of offence, they deserve concession of bail.
4. Opposing the petition, learned State counsel has submitted that keeping in view the fact that the petitioners were caught red handed and that they also happen to be involved in one more identical case, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and the fact that the petitioners as on date have been behind bars since the last more than 2 months and challan already stands presented, further detention of the petitioners will not serve any useful purpose. The petition, as such, is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.2.2021

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Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**