

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

203

CRM-M-4673-2021 (O&M)

Date of Decision: 29.04.2021

Ashok Singh Bhandari

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Lakshay Bajaj, Advocate, for the petitioner.

Mr. G.S.Chhina, AAG, Haryana,
assisted by ASI Rajender.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.753 dated 03.07.2016, under Sections 420/467/468/471/120-B of IPC and 61-1-14 of The Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) at Police Station, Chandni Bagh, Panipat.
2. The allegations levelled in the FIR are to the effect that an information was received that illegal liquor had been stored in godowns belonging to Dharmender. Pursuant to receipt of said information, a raid was conducted and 5866 boxes of English Liquor, 9 boxes of Indian made liquor and 992 boxes of beer were recovered from godown No.1 and from godown No.2 3652 boxes of English Liquor and 4688 boxes of beer were recovered. It is further the case of prosecution that a vehicle bearing registration

No.HR-99VT-3969 was found parked from which another 370 boxes of English Liquor were recovered.

3. It has been submitted by the learned counsel for the petitioner that he is nowhere named in the FIR and is sought to be nominated as an accused on the basis of a disclosure statement allegedly made by co-accused Dharmender. It has further been submitted that the said Dharmender, who is the main accused, has in fact been granted anticipatory bail.
4. Opposing the petition, learned State counsel has submitted that since during the course of investigation, it has surfaced that the petitioner was a partner along with other accused namely, Bhupender, Jitender and Narender in the liquor vend and were in fact selling liquor illegally, no case for grant of bail is made out. Learned State counsel has, however, not disputed that several other co-accused have already been granted bail. Learned State counsel has informed that the petitioner as on date has been behind bars since the last about 5 months and that he is not wanted in any other case and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the aforesaid position, wherein the petitioner has been behind bars for a substantial period of about 5 months and has been nominated on the basis of a disclosure statement of co-accused, the admissibility and veracity of which would be debatable, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to consume time. The petition, as such, is accepted and the petitioner is ordered to be

released on regular bail on his furnishing bail bonds/surety bonds
to the satisfaction of learned trial Court/Chief Judicial
Magistrate/Duty Magistrate concerned.

29.04.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**