

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

CRM-M-6808 of 2021 (O&M)

DECIDED ON: 19th FEBRUARY, 2021

Balraj Singh @ Baaji @ Baj Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. C.S. Rana, Advocate for petitioner.

Ms. Samina Dhir, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

The petitioner is before this Court for regular bail in case FIR No. 97 dated 20.5.2020 under Section 61(1) of Punjab Excise Act, 1914, registered at Police Station Dharamkot District Moga.

The facts in narrow compass are that acting on a secret information, a raid was conducted on 20.5.2020. The petitioner along with co-accused was able to flee from the spot, however, 5000 litres Lahan, two working stills, one drum, two pipes, two canes and 22-1/4 bottles of illicit liquor were recovered.

Learned counsel for the petitioner submits that challan has been presented, no recovery is to be made and the petitioner is in custody since August, 2020.

Learned State counsel opposes the prayer.

The petitioner had earlier approached this Court for grant of bail and this is the third application. One of the ground now taken is that co-accused has been granted bail vide CRM-M-42219 of 2020 on 8.2.2021.

Considering that the co-accused has already been granted bail by this Court on 8.2.2021; no recovery is to be made; conclusion of trial is likely to take time and considering the period of custody also, it would not be appropriate to deprive the personal liberty of the petitioner, the petitioner is granted bail subject to his furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

However, it is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

19th FEBRUARY, 2021

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>