

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

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**CRM-M-9605-2021
Decided on : 04.03.2021**

Mohit

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Balkar Singh, Advocate
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana
assisted by SI Pawan.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 528, dated 05.11.2020, under Sections 272, 420, 467, 468, 471 IPC and under Sections 61-4-2020 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner contends that a false case has been foisted upon the petitioner, which finds credence from the fact that the petitioner was not named in the secret information received by the police with respect to the manufacture of spurious liquor. It has been further submitted that it was the co-accused Ankit, who was named in the secret information and it was only on the basis of the disclosure statement allegedly made by the co-accused Ankit, the petitioner was nominated as an accused in the crime in question. He has further submitted that thereafter a false recovery of one motorcycle and one empty bag was shown to have been effected from him, which cannot be said to be in any way connected with the crime in question. It has been, thus, prayed that petitioner be granted the concession of regular bail,

as he has been in custody since 07.11.2020 and only challan has been presented so far for the offenses, which are triable by the Magistrate.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from SI Pawan, has submitted that it had come during the investigation that the petitioner was supplying the material to the main accused for manufacturing spurious liquor. He has also apprised the Court that there is one more FIR registered against the petitioner in the State of Uttar Pradesh. He has, however, not been able to controvert the factum of petitioner's nomination as an accused in the FIR in question on the basis of disclosure statement made by the co-accused Ankit.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 04, 2021

J.Ram

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