

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

CRM-M-12252-2021
Decided on : 24.03.2021

Kishoer Jha

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vishal Nehra, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.528 dated 05.11.2020 registered under Sections 272, 420, 467, 468, 471 IPC, 1860 and Section 61 of Excise Act at Police Station Kharkhoda District Sonipat.

Learned counsel for the petitioner inter alia contends that the petitioner is absolutely innocent and is no way connected with the alleged crime. He further submits that the name of the petitioner was nominated as an accused on the basis of disclosure statement of one Mohit whose name too came up in the disclosure statement of main accused Ankit. In his disclosure statement, said Mohit had just stated that they had procured plastic bottles from the petitioner and he had nowhere stated that the petitioner was involved in the illicit manufacture of spurious liquor. He further submits that the petitioner is in custody since 09.11.2020 and only challan has been presented till date. Hence, there is no likelihood of the trial concluding in the near future. He also submits that similarly situated

co-accused has since been extended the concession of bail by this Court vide order dated 04.03.2021.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SI Pawan submits that charges are likely to be framed in the near future. He however, has not been able to controvert the fact that there was no allegation against the petitioner of illicit manufacture of the spurious liquor.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 09.11.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the 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

24.03.2021

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