

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

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**CRM-M-15433-2021 (O&M)
Decided on : 19.04.2021**

BHUPENDER

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Yashveer Kharb, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana
assisted by ASI Rajinder Singh.

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.27, dated 03.02.2021 under Sections 420, 467, 468 and 471 of the IPC and Section 61 of the Punjab Excise Act, 1914 registered at Police Station Israna, District Panipat.

Learned counsel contends that co-accused Sahil has been extended the concession of bail by this Court vide order dated 09.04.2021. He further submits that neither was the petitioner named in the secret information which was received by the police officials nor was he owner of the poultry farm from where the recovery of 29 cases of the country-made liquor was effected. Learned counsel further submits that in fact, the petitioner was just an employee of co-accused Aman, who was the owner of the poultry farm and had since been extended the concession of anticipatory bail by the learned trial Court.

Per contra, learned State counsel has opposed the prayer and

submissions made by learned counsel for the petitioner. However, she has not been able to controvert the factum of the petitioner not being named in the secret information or even the poultry farm being in his name. She has further submitted that the petitioner was found present at the spot while packing the boxes inside the poultry farm when the raiding party reached there.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in mind that the petitioner has been in custody since 03rd February, 2021 and charges have not yet been framed, no useful purpose would be served in keeping the petitioner behind the bars, as the trial would take a long time to conclude. 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 herein shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 19, 2021

S.Sharma(syr)

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