

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(216)

CRM-M-27000-2021

Date of decision: - 30.09.2021

Rakesh

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Susheel Gautam, Advocate,
for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.389 dated 22.05.2021, registered under Section 188 IPC (Section 420 IPC added later on) and Section 61-4-20 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), at Police Station Karnal City, District Karnal.

Learned counsel for the petitioner argues that the petitioner was only a driver of the vehicle and had nothing to do with the alleged illicit liquor, which was recovered from the vehicle and he is already behind bars since 22.05.2021. Learned counsel for the petitioner further argues that as the charges have already been framed, hence, no useful

purpose will be served in keeping the petitioner behind the bars during the trial.

Notice of motion.

Mr. Karan Garg, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel concedes that the charges have already been framed and the prosecution witnesses are being examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the petitioner was allegedly driver of the vehicle only from which the alleged illicit liquor was recovered and the allegations against him, connecting him with offence, are yet to be proved, no useful purpose will be served by keeping him behind the bars any further during the trial as the trial is likely to take some time to conclude.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, if not required to be detained in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial or the witnesses in any manner and in case of default of the above undertaking, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 30, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No