

CRM-M-29666-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRM-M-29666-2021 (O&M).
Decided on: August 5, 2021.**

Gurvinder Singh @ Joni

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Avtar Singh Bhatti, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.0028 dated 13.4.2021, under Sections 379, 380, 328 and 420 IPC and under Section 61 of the Punjab Excise Act, 1914 (offences under Sections 61-A/63/78/1/14 of the Punjab Excise Act, 1914, added later on), registered at Police Station Talwara, District Hoshiarpur.

As per FIR, a tip-off was received by the police officials from an informer that one Gurvinder Singh son of Sukhdev Singh who has a

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tanker, Dara Khan, Rakesh alias Babu, Narinder lal @ Rinku, Gurcharan Singh alias Sinta (petitioner) and Dinesh have formed a gang to steal spirit from tankers and prepare fake and poisonous liquor and sell it to innocent people by misrepresenting it as good quality liquor. The police accordingly conducted a raid and all the accused were apprehended on the spot on 30.4.2021.

Learned counsel for the petitioner has submitted that other co-accused namely Rakesh Kumar @ Baba, Narinder Lal @ Rinku and Dara Khan who had filed three separate petitions have been granted regular bail vide a common order passed in CRM-M-21828-2021 on 20.7.2021. He has submitted that the petitioner is also similarly situated with the aforesaid three co-accused whose bail petitions have been allowed by this Court. He has further submitted that so far as present petitioner is concerned, there is no other case against the petitioner of any kind whatsoever and therefore, he may be considered for the grant of regular bail.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is on parity with other three co-accused who have been granted regular bail vide a common order passed in CRM-M-21828-2021 on 20.7.2021. He has submitted that it is also correct that the petitioner is not involved in any other case.

I have heard the learned counsel for the parties.

The present petitioner is on parity with other three co-accused who have been granted regular bail vide a common order passed on 20.7.2021 and admittedly the petitioner is not involved in any other case.

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Therefore, considering the totality of the circumstances, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

August 5, 2021.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No