

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

CRM-M-30968-2021

Date of decision :19.08.2021

Naveen Kumar Sandhu

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vinod Ghai, Sr. Advocate with
Ms. Kanika Ahuja, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a first petition filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in FIR No.83 dated 20.02.2021 under Sections 420, 467, 468, 471 and 120-B IPC and Sections 61/01/14 of Excise Act, registered at Police Station Rai, District Sonipat.

Learned Senior counsel for the petitioner has vehemently argued that the petitioner has been in custody since 17.05.2021 and the challan has already been presented and there are as many as 15 prosecution witnesses and none of the said witnesses has been examined. It has further been submitted that the petitioner is sought to be involved in the present case solely on the basis of the disclosure statement of one Satish. It has also been submitted that even the alleged recovery of Whisky bottles as per the prosecution version case is not spurious Whisky and it was only meant

for sale in U.T. Chandigarh and was confiscated in Haryana. It is also submitted that the petitioner is not involved in any other case.

Learned State counsel has stated that in this case huge quantity of boxes of Imperial Blue have been recovered. However, the other assertions made by the learned counsel for the petitioner have not been disputed by the learned counsel for the petitioner.

Keeping in view, all the facts and circumstances, stated above moreso, the fact that the petitioner has been in custody since 17.05.2021 and challan has already been filed and out of 15 prosecution witnesses not even a single witness has been examined and that the trial is not likely to be concluded in the near future and the petitioner sought to be involved only on the basis of the disclosure statement of the co-accused and no recovery has been effected from the petitioner, this Court deems it appropriate to allow the present petition.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/CJM concerned.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case.

(VIKAS BAHL)
JUDGE

19.08.2021
JITESH (JTS)

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