

In the High Court of Punjab and Haryana at Chandigarh

207

CRM-M-38459-2020 (O & M)

Date of Decision: July 13, 2021

GAURAV KAMBOJ AND ANR

.....PETITIONERS

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Vinod Ghai, Senior Advocate with
Mr. Aman Pal, Advocate for the petitioners.

Mr. Vijesh Sharma, Addl. AG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioners are seeking regular bail in FIR No.151 dated 11.09.2020, under Sections 269, 270 and 420 IPC and Section 61, 01, 14 of the Punjab Excise Act (Sections 467, 468, 471, 308 and 120-B IPC added later on), registered at Police Station Radaur, District Yamuna Nagar.

Learned counsel for the petitioners contends that the petitioners were not named in the FIR and have been arraigned as an accused on the statement of co-accused Pardeep Kumar. He also contends that the petitioners themselves had informed that the Canter is being loaded with fake liquor. The petitioners are in custody for over 09 months. Petitioner No.1 is involved in another case under the Excise Act wherein 02 boxes of country made liquor and IMF liquor were allegedly recovered from him. Petitioner No.2 is not involved in any other criminal case. He further contends that no recovery has been effected from the petitioners even after their arrest in the instant case. He

also contends that co-accused Pardeep Kumar has been granted the concession of regular bail by this Court in CRM-M-20028-2021 on 26.05.2021.

Learned State counsel contends that the allegations against the petitioners are that they were involved in the sale of fake liquor besides another case under the Excise Act against petitioner No.1, two other criminal cases involving the Arms Act and Section 324, 506 IPC are pending against petitioner No.1. He upon instructions from ASI Sandeep states that the challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when the petitioners are in custody for over 09 months, co-accused has been granted bail, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioners.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

July 13, 2021
A.Kaundal

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