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

CRM-M-47098-2021

Date of decision:15.11.2021

NIKKU

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr.Sandeep Arora, Advocate
for the petitioner.

Ms.Bhupender Beniwal, AAG, Punjab.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

FIR No. 116 of 01.10.2021, constitutes therein offences under Sections 61, 78(2) of Punjab Excise Act, 1961 and Section 420 of IPC, and, is lodged at Police Station Jalandhar Cantt., Jalandhar, therein the incriminatory offence is attributed to be committed by the bail applicant.

2. Learned State counsel has fairly submitted, that all the recoveries have been effected at the instance of the accused, by the investigating officer. He has also submitted that the investigations are complete, and, a report under Section 173 Cr.P.C., is to be very shortly instituted before the learned Magistrate concerned.

3. Furthermore, in view of the fact that the bail applicant is suffering judicial incarceration for more than one month, therefore, it is not deemed fit and proper to prolong his judicial incarceration.

4. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail, is subject to the bail applicant-petitioner's furnishing personal and surety bonds in the sum of Rs. 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance. He shall also surrender his passport before the learned Magistrate concerned.

5. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

15.11.2021

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Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No