

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

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CRM-M-12202-2022 (O&M)

Date of Decision: 27.05.2022

SURINDER SINGH ALIAS CHHINDER

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.24 dated 29.01.2022, registered under Section 61 of the Punjab Excise Act, 1914, at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner submits that, on the basis of a secret information, the petitioner was apprehended with 15 bottles of illicit liquor; that, on the basis of the disclosure statement of the petitioner, 300 bottles of liquor along with 250 litres of lahan was also recovered from the bushes near Semnala; that the challan has already been presented and that the petitioner was granted the concession of interim bail, which was not misused by him. He further submits that in another case i.e. FIR No.27 dated 05.03.2018 under NDPS Act, the petitioner stands acquitted vide judgment dated 01.11.2019 passed by the learned Judge Special Court, Moga and that the petitioner has been in custody since 29.01.2022.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.01.2022. In another NDPS case, the petitioner stands acquitted. The petitioner had not misused the concession of interim bail granted to him. Challan has been presented and prosecution evidence is yet to conclude. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, 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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

27.05.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*