

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

CRM-M-12483 of 2022(O&M)

Date of Decision: 30.03.2022

Rajbir @ Raja

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. A.S. Barnala, Advocate
For the petitioner.**

Mr. Naveen Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 856 dated 15.12.2021, registered under Sections 420, 467, 468, 471 IPC and Sections 61/4/20 of Excise Act at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner submitted that petitioner was not named in the FIR and was later on arrested on the basis of disclosure made by the co-accused.

Bail application is contested by State counsel who submitted that 57 covers of bottle Royal Stag, 125 dot seals of Royal Stag, 2 bundles of tape and 252 holograms were recovered from the possession of the petitioner, who was arrested in this case on 15.02.2022.

I have considered the submissions made by learned counsel for the petitioner and the State counsel.

Admittedly, the petitioner was not named in the FIR which was registered against one Parvesh @ Bhura on the basis of secret information and then police conducted raid and recovered two drums each containing 200 litres of spirit and also arrested Parvesh @ Bhura from the disclosed place. Thereafter, one Rajesh was arrested on 23.12.2021 and got recovered Rs.3000/-. Subsequently, on 15.02.2022 the present petitioner was arrested and 57 covers of bottle Royal Stag, 125 dot seals of Royal Stag, 2 bundles of tape and 252 holograms were recovered from his possession. No spirit was recovered from the possession of the petitioner, who is presently lodged in judicial custody. Main accused Parvesh @ Bhura has been granted regular bail by the Court below. No useful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released to regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

30.03.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**