

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

CRM-M-37328 of 2021(O&M)

Date of Decision: 29.04.2022

Pardeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. S.K. Panwar, Advocate
For the petitioner.**

Mr. Naveen Kumar 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. 151 dated 11.09.2020, registered under Sections 269, 270 and 420 IPC and Sections 1, 14 and 16 of Excise Act, Police Station Radaur, District Yamuna Nagar, to which Sections 467, 468, 471, 120-B and 308 IPC were added lateron.

The case of the prosecution is that on the basis of secret information, a raid was conducted and 689 boxes of country made liquor make "Masti Malta" each containing 12 bottles and one box containing 11 bottles were recovered and the petitioner was arrested from the spot along with aforesaid liquor and canter bearing HR69B-3384. Remaining accused managed to escape from the spot.

Counsel for the petitioner contended that petitioner is in judicial custody since 11.09.2020 and it will take time for completion of the trial and as such petitioner is entitled to grant of regular bail.

Present petition is opposed by the State counsel, who submitted that serious allegations are appearing on record against the petitioner who was arrested from the spot. It is further contended that petitioner is also involved in one another criminal case and as such is not entitled to any such relief.

I have considered the submissions made by learned counsel for the parties.

Admittedly, the petitioner is in custody since 11.09.2020 and his custody certificate is available on record, as per which he is also involved in one another criminal case under Punjab Excise (Delhi Amendment) Act. The investigation in the present case has been completed but it will take time for culmination of trial.

In view of the above, no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus, 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.

29.04.2022

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**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No