

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49491-2021 (O&M)
Date of decision: 18.01.2022

Malkit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.4 dated 12.01.2021 under Section 61(1) of Punjab Excise Act, 1914, registered at Police Station Mehatpur, District Jalandhar (Rural).

Learned counsel for the petitioner submits that the FIR was registered against 09 persons with the allegations that they are indulged in selling of illicit liquor. It is further submitted that co-accused of the petitioner, namely Balraj Singh @ Jugraj Singh and Prem Singh, have already been released on regular bail by the trial Court vide orders dated 16.04.2021 and 0.08.2021 respectively. It is also submitted that the petitioner is in custody for the last 04 months and 11 days; investigation is complete; he is no more required for further investigation and conclusion of the trial will take some

time. Learned counsel further submits that sentence of the petitioner has already been suspended vide order dated 24.10.2019 passed in CRM-42869-2018 in CRA-S-3513-SB-2016 in a case under NDPS Act, in which he was convicted for 10 years.

Learned State counsel has filed the custody certificate dated 17.01.2022 in the Court today, has not disputed the factual position, however, submitted that huge recovery of illicit liquor was effected from all the accused persons. It is also not disputed that offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

18.01.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No