

**122+260 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-10796-2023(O&M)
Date of Decision: March 13, 2023

SURENDER SINGH	Versus	 Petitioner
STATE OF HARYANA		 Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Deepanshu Matya, Advocate for the petitioner.

Mr. Amit Aggarwal, D.A.G., Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail pending trial in case FIR No.446, dated 18.12.2022 under Sections 420, 272, 120-B, 467, 468 and 471 IPC and 61/4/20 of Punjab Excise Act, 1914 registered at P.S. Sadar, Narnaul, District Narnaul, Haryana.

Status report has been filed by way of an affidavit of Mr. Narender Kumar, HPS Deputy Superintendent of Police, Narnaul, District Mahendergarh, the same is taken on record subject to all just exceptions.

Learned counsel for petitioner submits that petitioner was never named in FIR and was implicated on the basis of disclosure made by one of the co-accused namely Manjeet @ Mota. He further submits that the investigation in the present case already stands concluded with the filing of challan. While referring to previous order dated 01.03.2023, learned counsel for petitioner submits that the petitioner already stands acquitted in the FIR No.155 dated 21.04.2020

under Sections 188 and 269 IPC, registered at Police Station Badshahpur, Gurugram and thus prays for grant of regular bail stating that the trial is likely to take some time.

On the other hand, learned State counsel opposes the prayer made herein while submitting that the recovery in the present case is huge amounting to 1023 boxes of liquor which were allegedly procured from the godowns of petitioner and Rajan Gandhi who happened to be Directors of M/s Lake Forest Wines Pvt. Ltd.

I have heard learned counsel for the parties and have gone through the paper-book. I find substance in the submissions made on behalf of the petitioner.

Considering the fact that the petitioner was named by the co-accused Manjeet @ Mota in his disclosure statement and the evidentiary value of same has to be gone into during trial, particularly in view of the fact that the investigation already stands concluded with the filing of challan according to which no recovery has been effected from petitioner, the trial likely to take some time besides the fact that all other co-accused including Manjeet@ Mota have already been granted concession of regular bail.

Without commenting upon merits of present petition, the same is allowed subject to furnishing of adequate bail bonds/surety bonds by the petitioner to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

13.03.2023
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No

