

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24917-2023
Date of Decision: 31.08.2023

Harjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Maan Akashdeep Singh, Advocate,
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
0109	30.07.2020	P.S. Tarsikka, District Amritsar Rural	Sections 304 IPC and Section 61 of the Punjab Excise Act, 1914 and Sections 302, 201, 326, 328, 120-B, 379 and 411 IPC added later on

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of aforementioned
FIR.
2. As per the case of the prosecution, the allegations against the petitioner
pertain to supplying of spurious illicit liquor leading to death of 17
persons. Although the petitioner is not named in the FIR but he was
nominated as an accused in the supplementary statement of the
complainant.
3. Learned counsel for the petitioner submits that the petitioner has falsely
been implicated in the present case and that there is no evidence worth

credence to show that he had any role to play in the supply of illicit or spurious liquor. It has further been submitted that the trial is proceeding at snail's pace inasmuch as only 10 out of cited 183 PWs have been examined till date and that in these circumstances, the petitioner who has already been behind the bars for the last about three years, deserves the concession of bail particularly when several other identically situated co-accused have already been granted bail by this Court.

4. Opposing the petition, learned State counsel submitted that the petitioner does not deserve any leniency having regard the fact that a large number of persons had lost their lives on account of supply of spurious and illicit liquor in which the petitioner also had a role inasmuch as the complainant in his supplementary statement has categorically named him. Learned State counsel has not denied the fact that the petitioner has already faced incarceration for about three years and till date only 10 PWs out of cited 183 PWs have been examined. Learned State counsel has submitted that given the antecedents of the petitioner inasmuch as he stands involved in five more cases registered under the Excise Act, he does not deserve to be released on bail.
5. This Court has considered rival submissions addressed before this Court.
6. Without going into the merits of the case but having regard to the long custody of the petitioner and the fact that the trial is likely to consume time inasmuch as a large number of PWs have been cited and while also noticing that several other identically situated co-accused have already been granted bail, the petition merits acceptance and is hereby accepted.

7. The petition, as such, is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
8. It is, however, directed that in case the petitioner is found to be indulging in similar offence again, the prosecution would be at liberty to move an application for cancellation of bail before this Court.

31.08.2023

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**