

CRM-M-55111-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

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Date of Decision:-20.12.2023

Boota Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. G.S. Jagpal, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed for grant of regular bail to the petitioner in case FIR No. 191 dated 02.07.2023 under Section 61 of Punjab Excise, Act, 1914, registered at Police Station Zirakpur, District SAS Nagar.
- 2.. Custody certificate of the petitioner has been filed by learned State counsel in Court today, which is taken on record, subject to all just exceptions.
3. According to the custody certificate, the petitioner is in custody for last 05 months and 17 days.
4. A perusal of the paper book demonstrates that nothing is to be recovered from the petitioner as of now and as per the averments made in the petition, there are serious lapses in the FIR also.
5. Considering the fact that the FIR is under Excise Act, coupled with the fact that the petitioner is in custody for last more than 05 months

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be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

7. It is made clear that, in case, the petitioner is found involved in any such activity once again, the present concession granted shall be considered for being vacated.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

20.12.2023
Parul

(ALOK JAIN)
JUDGE

Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No