

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

304

CRM-M No.16349 of 2024 (O&M)
Date of Decision: 09.04.2024

DIWAN SINGHPetitioner

Vs
STATE OF HARYANARespondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Jasdeep Singh Gill, Advocate
for the petitioner.

Mr. Gurmeet Singh, Asstt. A.G., Haryana.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.22 dated 05.02.2024 registered under Sections 120-B, 272, 273, 420, 467, 468, 471 IPC and Sections 61(1)(C) and 72-A of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) at Police Station Kosli, District Rewari.
2. The prayer made on behalf of the petitioner has been vehemently opposed by learned State counsel while submitting that the present case relates to recovery of huge quantity of spurious liquor having fake labels and petitioner was running a printing press where these fake labels were printed/published and used on spurious liquor bottles and, thus he does not deserve concession of regular bail.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.
4. In the present case, the petitioner was not named in the FIR nor he was apprehended at the spot, but was implicated after one month based on the

disclosure statement made by one of the co-accused Sanjeev @ Bablu in relation to his role of owning a printing press where the labels found on the spurious liquor were published. The investigation has already concluded with the filing of challan and the petitioner is not involved in any other case of similar nature and he is behind the bars for more than 01 month, besides it, even identically placed one of the co-accused namely Suman Jha against whom the same allegations of running a printing press having printed the stickers of Old Monk ‘label’ were there has been granted regular bail vide order dated 02.03.2024 passed by the Addl. Sessions Judge, Rewari.

5. Considering the fact that the petitioner has already suffered incarceration for a period of more than one month, especially when there is no other case; offence being triable by the Magistrate and the trial is likely to take sometime in its culmination, I do not find any justification to extend the incarceration of the petitioner.

6. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

April 09, 2024
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No