



CRM-M-29700-2024 (O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.206**CRM-M-29700-2024(O&M)****Date of decision : 24.06.2024**

Ramandeep @ Deepu

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

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

Mr. Ravi Partap Singh, DAG, Haryana.

KIRTI SINGH, J. (Oral)

This petition under Section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No.327 dated 09.11.2023 registered under Sections 120-B, 302, 304 & 328 IPC and Section 72-A of the Excise Act at Police Station Barara, District Ambala.

Learned counsel for the petitioner submits that as per the allegations set out by the prosecution case, the petitioner and the co-accused were involved in the manufacturing of illicit liquor, which caused the death of two persons. He submits that it was from the disclosure statement of co-accused Ankit @ Mogli that the name of the petitioner was disclosed. He further submits that the role of the petitioner was that at one point of time he apprised the co-accused about the place the alcohol manufactured by the company was available and that the petitioner has absolutely no role to play in the preparation/selling/manufacturing of the illicit country-made liquor. He also submits that similarly situated co-accused namely Puneet, Uttam Singh and Ashul Garg had been released on bail and there are 51 prosecution

that father of the petitioner has expired on 07.09.2022 and brother of the petitioner had also expired on 15.01.2023. The mother of the petitioner is suffering from Tumour and is not in a position to stand or walk.

Learned State counsel has filed the custody certificate in Court today. The same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 05 months and 29 days and 04 other criminal cases are pending against him. In view of the serious allegations, the petitioner is not entitled to the concession of regular bail.

Heard.

Considering the fact that the petitioner was arrested on the basis of disclosure statement of the co-accused and similarly situated co-accused has been granted the benefit of bail and out of a total of 51 prosecution witnesses, none has been examined till date and in view of fact that the trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further.

Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail after furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

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

(KIRTI SINGH)
JUDGE

24.06.2024
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No