



CRM-M-30446-2024

-1-

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

CRM-M-30446-2024

Date of decision: 25th July, 2024

Angrej Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Rang, Advocate for the petitioner.

Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

1. The petitioner has been seeking indulgence of this Court by filing this petition for grant of regular bail in case arising out of FIR No. 49 dated 30.06.2019 registered under Section 61(1) of Excise Act, 1914 at Police Station Khera Gandian, District Patiala.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered against the petitioner and co-accused alleging therein that they were indulged in the sale of country made liquor of Haryana in Punjab. They were apprehended on the basis of a secret information and 96 bottles of country made liquor brand Bosar Santra were recovered from the petitioner and the co-accused. After completion of necessary investigation, challan was presented in the Court as against the petitioner and the co-accused. The petitioner was extended



benefit of bail. The petitioner absented himself from the trial Court. Notices, bailable warrants and then non-bailable warrants were issued against him. His bail was cancelled on 14.05.2021 and bonds were forfeited to the State. Ultimately, proceedings under Section 82 of Cr.P.C. were initiated against him and he was declared a proclaimed offender on 19.03.2024. He was arrested on 25.03.2024 and he is in custody even since then. He had moved an application for grant of bail before the learned trial Court which had been dismissed vide order dated 30.03.2024.

3. It is argued by learned counsel for the petitioner that his absence was not intentional as he had been informed by the co-accused that both of them have been acquitted by the trial Court and there was no need to appear there. It is submitted that on re-opening of Courts after outbreak of COVID pandemic-19, he himself had appeared before the learned trial Court on 25.03.2024 and that showed his *bonafide*. It is submitted that the trial is likely to take time. His further detention would not serve any useful purpose. He is ready to abide by the conditions imposed by this Court. Therefore, it is urged that he deserves to be extended benefit of bail.

4. Status report has been filed by respondent-State. It is argued by learned State counsel that he remained absent from 17.12.2021 till 25.03.2024. He was declared a proclaimed person. There are chances of his absconding again, if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record



carefully.

6. The petitioner is alleged to have been found in possession of 96 bottles of country made liquor made in the State of Haryana, while carrying it for sale to Punjab. He had absented himself from the proceedings before the trial Court and had been declared a proclaimed person. He is in the custody for a period of four months. The trial is likely to take time. Keeping in view the nature of subject offence and the period of his incarceration, I am of the considered opinion that the petition deserves to be allowed. Hence, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the learned trial Court and further subject to giving details of his present/permanent address, cell phone number and Aadhar Card, at the time of furnishing bonds before the learned trial Court. That apart, the petitioner shall also ensure his presence before the SHO, Police Station Kheda Gandian, on the first Monday of every month till the conclusion of the trial.

7. On his failure to abide by any of these conditions, the learned trial Court will be at liberty to cancel his bail.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th July, 2024

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*