



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.35993 of 2024 (O&M)
Date of Decision: 08.08.2024

Amit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Anshuman Dalal, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana for the respondent.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 483 of the Bhartiya
(sic - Bharatiya) Nagarik Suraksha Sanhita, 2023 for grant of bail pending
trial to the petitioner in FIR No.471 dated 12.12.2023, under Section 420 of
the Indian Penal Code, 1860 & Section 61 of the Punjab Excise Act, 1914
(Haryana Amendment Bill, 2020), registered at Police Station Sonipat,
District Sonipat.



(2) Above FIR was registered on the basis of complaint made by ASI Surender Singh with the allegations that on secret information, 60 boxes (each box contained 50 quarter bottles) of *Desi* liquor Mark 'Santra' and 04 boxes (each box contained 48 quarter bottles) of foreign liquor Mark 'Race-7' were recovered from petitioner as well as co-accused, namely, Deepak @ Penda while travelling in Grand I-10 white coloured Car, having fake registration Number Plate i.e. DL-06R-9226.

(3) Contends that petitioner is in custody since 12.12.2023; he has been falsely implicated in the present case. Also contends that there is no other criminal case pending against the petitioner.

(4) *Per contra*, learned State Counsel on instructions opposed the prayer.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) Concededly, petitioner is in custody since 12.12.2023; there is no other criminal case pending against him and out of total 9 official prosecution witnesses, only 03 have been examined; thus, trial will take sufficient long time.

(7) In view of the above, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.



(8) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

(9) The above observations may not be construed as an expression of opinion on the merits of the case.

(10) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

8th August, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>