



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

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CRM-M-37881-2024

Date of decision: 06.08.2024

MALKIT SINGH @ MALKEET SINGH

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Janak Singh Bhinder, Advocate, for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

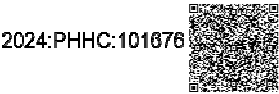
MANJARI NEHRU KAUL, J. (ORAL)

1. Petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.333 dated 12.06.2024 under Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) registered at Police Station City Tohana, District Fatehabad.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that too on the basis of a disclosure statement allegedly suffered by co-accused Kaka @ Sukha from whom recovery of 192 bottles of country made liquor were allegedly affected. Learned counsel further submits that the evidentiary value of the disclosure statement is of weak nature.

3. Notice of motion.

4. At the asking of the Court, Ms. Trishanjali Sharma, DAG, Haryana, accepts notice on behalf of the respondent-State.



5. Ms. Trishanjali Sharma, DAG, Haryana, learned State counsel has opposed the prayer and submissions made by the counsel opposite by arguing, on instructions, that although the name of the petitioner surfaced only in the disclosure statement of co-accused Kaka @ Sukha, however, the petitioner has criminal antecedents and is involved in case under the NDPS Act; he was on bail when the instant case was registered against him. It has also been submitted that the recovered country made liquor has been supplied by none other than the petitioner.

6. Accordingly, the instant petition is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 06, 2024
poonam

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