

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

\*\*\*\*

CRM-M-52150-2023

Sandeep @ Mama

....Petitioner

Vs.

State of Haryana

.....Respondent

Reserved On.: 20.02.2024

Pronounced On: 22.02.2024

**CORAM: - HON'BLE MR. JUSTICE DEEPAK GUPTA**

Argued By: Mr. Pawan Kumar Hooda, Advocate  
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

\*\*\*\*

**DEEPAK GUPTA, J.**

The petitioner prays for his release on regular bail, by way of present petition filed under Section 439 Cr.P.C, in case FIR No.747 dated 05.11.2020 registered under Sections 420, 467, 468, 471 of the IPC, and Section 61 of Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) [later on added Section 72-A of Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) & Sections 272/328 of the IPC] registered at Police Station City Sonipat, District Sonipat.

2. It is the second petition filed by the petitioner seeking regular bail. The earlier petition bearing CRM-M-4699-2023 was dismissed on merits by this Court vide order dated 01.05.2023 (Annexure P-6).

3. Learned counsel for the petitioner contends that custody period of the petitioner is now more than 03 years; that in 17 cases as registered against

**CRM-M-52150-2023**

the petitioner, trial has concluded in two cases bearing FIR No.748 dated 06.11.2020; and FIR No.754 dated 07.11.2020 both registered at Police Station City, Sonapat and in both those cases, petitioner has since been acquitted vide judgments Annexure P-4 & Annexure P-5 passed by Chief Judicial Magistrate as prosecution could not prove the charges against the petitioner. Learned counsel further contends that present FIR and so many other FIRs have been registered against the petitioner at the same police station. It is further submitted that ever since dismissal of the earlier petition by this Court on 01.05.2023, a period of more than 07 months has passed and so, in all these circumstances, petitioner be allowed bail.

4. Learned State counsel has strongly opposed the bail petition by drawing attention of this Court towards the criminal antecedents of the petitioner, who is involved in numerous cases of the same nature and also by drawing attention towards the observations made by this Court in its order dated 01.05.2023 (Annexure P6), where it was observed that petitioner was indulging in manufacturing of spurious liquor with chemical brought by him, as per the investigation, which led to huge loss of human lives. It was noticed in the order that as many as 31 persons had died in District Sonapat and 10 in District Panipat, whereas few people had lost the vision after consuming the spurious liquor. It is contended that simply because petitioner has been acquitted in two of the cases as prosecution could not prove the charges, does not mean that petitioner is likely to be acquitted in the present case also. It depends upon facts and circumstances of each case and the evidence adduced therein. Prayer is made for dismissal of the petition.

CRM-M-52150-2023

5.           After hearing learned counsel for the petitioner as well as learned State counsel at length, and concurring with the submissions of Ld. State counsel, this Court does not find any fresh ground so as to consider releasing the petitioner on regular bail.
6.           As such, present petition is hereby dismissed.
7.           At this stage, learned counsel for the petitioner has made a request to direct the Trial Court concerned to expedite the trial.
8.           Considering the fact that custody period of the petitioner is now more than 03 years and 01 month, Trial Court is directed to make every possible effort to expedite the trial by giving short dates.

( DEEPAK GUPTA )  
JUDGE

February 22, 2024

Neetika Tuteja

|                           |        |
|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |