

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55780-2023

Date of Decision:11.01.2024

Keval Soni @ Kewal Soni

...Petitioner

vs.

State of Haryana

...Respondent

Coram : **Hon’ble Mr. Justice N.S.Shekhawat**

Present : Mr. Rohit Mittal, Advocate
 for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 448 dated 20.06.2023, registered under Sections 420,465,467,468,471,474,476,482,483,201-B of IPC and 61/4/20 of Punjab Excise Act, Police Station City Narnaul (Annexure P-1).

2. As per the case of the prosecution, the FIR in the present case was registered on the basis of a secret information. After getting the secret information, a naka was set up by the police and three vehicles bearing registration No. MH-14G-7529, HR-16-5729 and HR-16-AA-6563 were stopped by the police. As per the case of the prosecution, the petitioner was driving the truck and Prince was helper on the said truck. After following the due process of law, 256 boxes of illicit liquor were recovered from the three trucks and the drivers of the trucks failed to produce any permit or license. Even the registration number plate as well as the papers of the truck were found to be fake and the petitioner along with other co-accused were ordered to be arrested.

Learned counsel for the petitioner contends that the petitioner was simply driver of the truck and had no concern with the illicit liquor, which was allegedly recovered by the police. He further contends that Prince, who was arrested with the present petitioner has already been granted the concession of

bail and the petitioner is also entitled to be released on bail on the ground of parity. Learned counsel further contends that the petitioner was arrested in the present case on 20.06.2023 and is in custody for the last about 07 months. After investigation, a final report under Section 173 Cr.P.C has already been presented by the police and the conclusion of the trial may take quite a long time.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner and the petitioner does not deserve the concession of bail.

4. I have heard the learned counsel for the parties and perused the record.

5. It is not in dispute that the similarly placed co-accused namely Prince has already been granted the concession of bail. The petitioner is in custody since 20.06.2023 and the challan has already been presented against him.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

11.01.2024
hitesh

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