

S. No.218

2024:PHHC:043855

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

CRM-M-62931 of 2023

Date of Decision:02.04.2024

Anil Kumar alias Kakku

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.287 dated 25.09.2023 registered at Police Station Sadar Mansa, District Mansa under Sections 78(2)/61 of Punjab Excise Act, 1914 (Punjab Act No.1 of 1914) and Sections 279, 337, 427 IPC (Section 304-A IPC further added).

As per allegations, a motor vehicular accident took place on 25.09.2023 between a Ritz Car and Motor-cycle. The car was allegedly being driven by the petitioner. On search of the dicky of the car, 36 bottles of country-made liquor were found.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that he is in custody for the last more than six months and that not even a single witness has been examined so far and so he be allowed bail.

Learned State Counsel has opposed the bail petition by pointing out towards the criminal antecedents of the petitioner inasmuch as he is involved in 18 other cases out of which he has been convicted in 9 cases mostly under Excise Act.

As per the custody certificate placed on record, petitioner is in custody for the last 06 month and 01 day,

Heard.

Though petitioner is a previous convict in other cases but at the same time, it is noticed that as far as allegations in the present case are concerned, the recovery of liquor has already been effected. Trial is likely to take long time to conclude as not even a single witness has been examined so far. No purpose shall be served by keeping the petitioner detained. As such, without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

April 02, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No