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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3650-2025 (O&M)
Date of Decision:- 06.05.2025

LALIT KUMAR ALIAS SOTIYA

Versus

....Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. S.K. Yadav, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
244	08.09.2024	318(4), 338, 336(3), 340, 61, 223(a), 316(2) BNS; 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020)	Sadar Tauru, District Nuh (Mewat) Haryana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner happens to be a salesman working at the liquor vend run by co-accused Karni Singh. He further contends that the petitioner



is never involved in any criminal activities but has been nominated in the present case on the alleged disclosure statement of co-accused Suraj. He submits that the petitioner has no concern whatsoever with the allegation nor has he participated in the alleged crime. He submits that similarly placed co-accused Karni Singh, has been granted the concession of bail vide order dated 08.01.2025 passed in CRM-M-55434-2024 (Annexure P-2). He submits that the petitioner is in custody since 19.09.2024 and after the completion of investigation, challan has been presented in Court. He further submits that the petitioner has no criminal antecedents, as such, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground the petitioner, in connivance with other accused, had prepared forged bills and loaded 580 boxes of liquor in the truck, which was being transported on forged documents from one place to another. He has, however, not disputed the fact that challan has been presented in Court and that the petitioner has clean antecedents.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution on 08.09.2024, the police party apprehended one Suraj along with truck containing liquor, which he was allegedly carrying illegally without any permit or licence. During his interrogation, he named the liquor vend contractor Karni Singh and the present petitioner as accused. Accordingly, the petitioner as well as said



Karni Singh were arrested.

6. As per record, the petitioner is in custody since 19.09.2024 and after the completion of investigation, challan has been presented in Court and the prosecution has cited 16 witnesses, however, none has been examined till date. The petitioner is not having any criminal antecedents and similarly placed co-accused Karni Singh has already been granted the concession of bail vide order Annexure P-2 (*supra*). Considering the pace with which the trial is going on, it will take sufficient long time to conclude the trial to ascertain the criminal liability, if any, of the petitioner. Therefore, no purpose would be served by detaining the petitioner any longer in the present case triable by the Court of Magistrate.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

06.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No