

**IN THE COURT OF SHRI VARUN NAGPAL,
ADDL. SESSIONS JUDGE, JALANDHAR (PB00204)**

CIS No.	BA/1128/2021
CNR No.	PBJL010028222021
Date of Instt.	12.03.2021
Date of Order	18.03.2021

Raj Singh @ Raju @ Raj, aged 33 years son of Sher Singh, resident of Village Bhode, Bilga, Jalandhar Rural, Punjab, India.

....Applicant/accused

Versus

State of Punjab

FIR No. 226 dated 02.12.2020
Under Sections 61/1/14 of Punjab Excise Act
Police Station Bilga,
District Jalandhar

[First Application for Bail U/s 439 of Cr.P.C.]

Present: Shri Ravinder Singh, Advocate, Counsel for applicant
accused.
Shri Rishi Bhardwaj, Addl. PP for the State

BAIL ORDER:-

1. Applicant/accused named above has filed this bail application under Section 439 Cr.P.C in a case FIR No.226 dated 02.12.2020 Under Sections 61/1/14 of Punjab Excise Act, registered at Police Station Bilga, District Jalandhar.

2. Upon notice, Shri Rishi Bhardwaj, Additional Public Prosecutor appeared on behalf of State.

Varun Nagpal
AJS/Jalandhar
Dated 18.03.2021

3. The learned counsel for the applicant/accused has submitted that applicant/accused Raj Singh @ Raju @ Raj has been falsely implicated in this case. He has committed no offence. He himself surrendered before the Court on 12.02.2021 and he was remanded to judicial custody on 14.02.2021 and since then, he is in judicial custody and is no longer required for the purpose of investigation. Presentation of challan and conclusion of trial would take long time. No useful purpose would be served by detaining the applicant/accused behind bars for indefinite period. Lastly, a prayer for allowing the bail application has been made.

4. On the other hand, while controverting his contentions, the learned Addl. P.P for the State has vehemently argued that the investigation is still in progress. If applicant/accused is released at this stage, he may abscond or tamper with prosecution evidence and may also influence the prosecution witnesses. Accordingly, a prayer is made for dismissal of the bail application.

5. I have heard the learned counsel for applicant/accused and learned Addl.PP for the State and have also gone through the record.

6. Police record received. The perusal of police record reveals that present FIR has been registered against three accused namely Raju present applicant/accused , Paramjit Singh and Gurnam Singh on the secret information that all the accused are distilling illicit liquor with the

help of working still and if a raid is conducted, they can be caught red handed. On the basis of secret information, raid was conducted and heavy quantity of illicit liquor was recovered, but all the accused had fled from the spot. From the spot total 2500 kg. Lahan/illicit liquor was recovered along with implements of working still.

7. Perusal of main trial file shows that applicant/accused surrendered before the court of learned Illaqa Magistrate on 12.02.2021 by moving an application and accordingly, he was arrested in this case by the police after seeking permission from the Court and his police remand was obtained and thereafter, accused was remanded to judicial custody on 14.02.2021 and since then, he is in custody. Applicant/accused is not required for the purpose of investigation. Presentation of challan and conclusion of trial would take long time and no useful purpose would be served by detaining the applicant/accused behind the bars for indefinite period rather it would be burden on the State's exchequer. Regular bail application of co-accused Paramjit Singh has already been allowed by this Court vide order dated 08.03.2021. Accordingly, in view of my above discussion, bail application in hand is allowed and applicant/accused Raj Singh @ Raju @ Raj is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of like amount subject to the satisfaction of Illaqa/ Duty Magistrate subject to the the following conditions:

Varun Nagpal
AJS/Jalandhar
Dated 18.03.2021

i. That he will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the persons acquainted with the facts of the case, dissuading them from disclosing the same to the court/investigating agency and;

ii. That he will not leave the limits of this country without prior permission of the Court. He will not even apply Visa for any country without permission.

8. However, any observation made above while disposing off this bail application shall not be considered an opinion of the undersigned on the merits of the case or opinion on the bail application of other co-accused, if any. Copy of this order be sent to the Court of learned Illaqa Magistrate/Duty Magistrate for information and compliance. Police record be returned along with copy of this order. Record of this bail application be consigned to Sessions Court record room, Jalandhar.

Pronounced on:

Dt:18.03.2021

Onkar Chand JW(SG)

(Varun Nagpal)

**Addl. Sessions Judge, Jalandhar
(UID No. PB00204)**

Varun Nagpal
AJS/Jalandhar
Dated 18.03.2021