

State of Pb. Vs. Gursewak Singh etc.
CIS No.BA/1744/2019

FIR No.328 of 20.11.2019
U/S 61, 78 of Punjab Excise
Act
PS Sardulgarh.

CNR No.PBMN01004178-2019
Date of order: 05.12.2019

Present: Sh. K.S. Dhaliwal, Advocate for applicants-accused
Gursewak Singh alias Sewak Singh and Harmesh Singh @
Kaka.
Sh.D.S. Sran, Addl.P.P. for respondent-State.

On notice, Ld. Addl. P.P. appeared for respondent-State.

Police file presented by him is perused and returned. Heard on this application of accused-applicants for regular bail under Section 439 Cr.P.C in the above referred case.

2. It is contended by Ld. Counsel for applicants/accused that latter have been falsely implicated. No contraband was recovered from them. Otherwise also, going by the version of Investigating Agency, alleged recovery of 120 bottles of Shehnai Haryana country liquor already has been effected. Applicants are in custody since 21.11.2019. Presentation and disposal of challan will take time. Hence, the prayer to admit them to regular bail.

3. Ld. Addl.P.P. contended that applicants may not be admitted to bail in view of the nature and gravity of the offence.

4. Applicants are in custody since 21.11.2019. Alleged recovery already has been effected. Presentation and disposal of challan will take considerable time. Culpability of applicants will be decided in the regular trial only. The matter is triable by Magistrate. Keeping in view the circumstances, and without commenting on merits of the main case, this application is allowed. Applicants will be released on regular bail by the court of Illaqa/Duty Magistrate on furnishing of personal bond and one surety bond by each of applicants to the satisfaction of the court. Needless to

mention here that if any applicant, at any stage of investigation or trial, flouts the conditions of bail bonds, the Court will be at liberty to cancel this order qua him. Intimation to the Court of Ilaqa Magistrate be sent.

Bail application file be consigned to the Record Room.

Pronounced in open court.

05.12.2019

(Parveen Kumar)

(Rajeev K. Beri)

Addl. Sessions Judge,

Mansa (UID No. PB-0149).