

**In the court of Sh. Vishesh,
Additional Sessions Judge, Fazilka.
(UID No. PB-0228)**

	B.A No.1579/2021. CNR No. PBFZC0-0051752021. Date of Order:-19.08.2021.
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Sukhwinder Singh @ Rajveer Singh aged 31 years son of Gurdial Singh
resident of village Shatirwala Tehsil and District Fazilka.

.....Applicant-accused.

Versus.

State of Punjab.

.....Respondent.

FIR No.73 dated 31.07.2021.
U/s 61 of Excise Act.
Police Station Khui Khera.

[Bail application U/s 439 of Cr.P.C.]

Present: Sh. Pardeep Kumar, Advocate counsel for applicant.
Sh. Amit Goklaney, Addl. PP for the State.

ORDER:

Present order of mine shall dispose off bail application filed by
applicant- Sukhwinder Singh @ Rajveer Singh.

2. Brief facts of the bail application are that applicant is peace
loving and law abiding citizen of India and he has been involved in this
case just to harass and coerce him. It has been stated that FIR was
registered on the basis of secret information and recovery has been planted
against the applicant, who is in custody since 31.07.2021. Hence, it is
prayed that applicant be admitted to bail.

3. Upon notice, learned Addl.PP for State appeared and contested

the bail application.

4. I have heard learned counsel for applicant, learned Addl.PP for State and have gone through the records of the case file carefully.

5. In brief, the facts of the present case are that the present FIR was registered at the instance of HC Vipin Chander on the allegations that on 31.07.2021, he alongwith other police officials was present in the area of grain market Village Kheowali in relation to police patrol, that there he received a secret information that applicant Sukhwinder Singh was habitual of selling illicit liquor and on the same day he was coming on his motor cycle bearing No.RJ13-SR-8059 make HF Delux from the side of Rajasthan. It was further reposed that if immediately raid is conducted, he could be arrested with heavy quantity of illicit liquor. Finding the information to be trustworthy, Ruqa was prepared, on the basis of which, present FIR was registered. Thereafter, raid was conducted at the place disclosed in the secret information in the area of link road Kheowali Dhab, that there approached one motor cycle from the side of village Bareke. The rider of the motor cycle, on seeing the police party, suspiciously tried to turn back the motor cycle. On the basis of suspicion, he was apprehended and on interrogation he disclosed his name as Sukhwinder Singh. On checking the plastic sack kept on the motor cycle, it was found to be containing 107 poly bags filled with illicit liquor. On measurement, the same came out to be 21 bottles (750 mls each bottle). Consequently, the accused was arrested. Perusal of the record shows that accused is in custody since the day of his arrest i.e., 31.07.2021. The alleged recovery has already been effected. Presentation of challan and conclusion of trial is likely to take long time. No useful purpose would be served by detaining the accused further in custody, as the same will be burden on the state

exchequer. Consequently, applicant-accused is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Ilaqa/Duty Magistrate/trial Court subject to the following conditions;-

(a) 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 person acquainted with the facts of the case, dissuading them from disclosing the same to the court/investigating agency;

(b) that he will not leave the limits of this country without prior permission of the court.

Bail application file be consigned to record room.

Pronounced in open court.
Dt.19.08.2021.

'Vinay '

(Vishesh)
Addl. Sessions Judge,
Fazilka. *UID No: PB0228*