

CRM-M-26800-2015 (O&M)

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

**CRM-M-26800-2015 (O&M).
Decided on: October 16, 2015.**

Dwarka Dass and another

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Rishu Mahajan, Advocate,
for the petitioners.**

Mr.Gazi Mohammad, DAG., Punjab.

M.M.S. BEDI, J (ORAL).

Petitioners were not arrested on the basis of secret information regarding their involvement in the sale of indian made foreign liquor on 4.10.2014. They allegedly escaped from the spot in presence of the police party.

Their application for pre-arrest bail has been dismissed by the Sessions Court on the ground that they failed to comply with the interim directions of the Court.

The petitioners were directed to join investigation by this Court on 29.8.2015 vide order dated 13.8.2015. The petitioners had to file an application before the Illaqua Magistrate for compliance of the order passed by this Court. A copy of order dated 29.8.2015 passed by the Illaqua Magistrate indicates that the Investigating Agency was made to comply with the order passed by this Court. It

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is not out of place to observe here that the petitioners have been involved in another case under Section 307 IPC, in which they had been arrested and granted the concession of regular bail.

Taking into consideration the above circumstances, the petition is allowed. It is ordered that in case of arrest of the petitioners they will be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the arresting officer subject to the conditions that they will not indulge in similar activities of which they are accused of in the present case during pendency of the trial. In case of violation of any of the conditions, it will be open to the prosecution agency to seek cancellation of bail.

October 16, 2015.
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(M.M.S. BEDI)
JUDGE