

CRM-M-37853-2015 (O&M)

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

**CRM-M-37853-2015 (O&M).
Decided on: January 19, 2016.**

Jacky Kalra

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

*** * ***

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

**PRESENT Mr.Amandeep Chhabra, Advocate,
for the petitioner.**

Ms.H.K.Athwal, DAG. Punjab.

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

Petitioner along with two other co-accused was allegedly involved in the smuggling of liquor from Haryana to Punjab. He allegedly escaped from the spot on being intercepted whereas his co-accused Sarabjit Singh and Sonu Kumar were apprehended by the police along with 25 kgs. of poppy husk and 14 boxes of liquor meant for sale in Haryana.

Since the petitioner was not arrested from the spot, his identity and culpability will certainly be a debatable issue during the course of trial as the petitioner is claiming alibi.

The petitioner has joined investigation. It does not appear to be a case of custodial interrogation.

CRM-M-37853-2015 (O&M)

The petition is allowed. It is ordered that in case of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions that he will join the investigation as and when required by the police and will not tamper with the evidence or hamper investigation, in any manner. He will also not indulge in any activity of smuggling of liquor from one State to another during pendency of the trial.

In case of violation of any of the above said conditions, it will be open to the prosecution agency to seek cancellation of the bail.

January 19, 2016.
rka

(M.M.S. BEDI)
JUDGE