

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.9041 of 2016

Date of Decision:-30.05.2016

Prem Kumar.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Dr. Anmol Ratan Sidhu, Senior Advocate assisted by
Mr. Suvir Sidhu, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Jagpal Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Prem Kumar in case FIR No.16 dated 19.02.2016 for offences punishable under Sections 420, 465, 468, 481, 483 and 120-B of Indian Penal Code and Section 61 of the Excise Act registered with Police Station Jaito, District Faridkot.

On a raid conducted on 4.2.2016 within the premises of liquor vend M/s Prem Kumar Kalu Ram, *inter alia* spurious liquor has been seized. The seals have been found to be tampered as also certain logos/holograms have been changed to make it inferior.

It is contended that the offences made out are under the Punjab

Excise Act and they are bailable and as such no offence under the IPC is

out.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation and cooperated in the same.

Learned State counsel assisted by ASI Jagapl Singh has filed reply contesting the argument as it is submitted that the mandatory provisions of Sub Section 2 of Section 50 of the Punjab Excise Act has been followed. He however, states that petitioner has joined the investigation and is longer required for custodial interrogation.

In view of the above, interim protection/pre-arrest bail granted vide order dated 22nd of March, 2016 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 30, 2016
Vinay