

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

**Crl. Misc. No.M-21487 of 2017 (O&M)
Date of Decision: October 25, 2017**

Balkar Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. L.M. Gulati, Advocate
for the petitioner (s).

Mr. C.L. Pawar, Sr. D.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.128 dated 29.04.2017 registered for the offence punishable under Section 61 of Excise Act, at Police Station A-Division, Amritsar.

Heard.

Learned counsel for the petitioner submits that he has instructions to submit on behalf of petitioner that in other four criminal cases registered against the petitioner, he has been acquitted and the present FIR is the only one case pending against him.

In this case, recovery of 70 bottles of licit liquor was effected but the petitioner was not apprehended at the spot. He has joined the investigation and identity of the person, who fled away from the spot, is a

fact to be verified during investigation.

Keeping in view the above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 09.06.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

October 25, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***