

CRM-M-25340-2017

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

CRM-M-25340-2017

Date of Decision: 26.07.2017

Lovepreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gursimran Singh Bhatia, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Lovepreet Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.154 dated 25.07.2016, registered at Police Station Jandiala, District Amritsar Rural, under Section 61 of Punjab Excise Act, 1914.

Notice of motion has been issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, 20 bottles of illicit liquor were recovered from the house of the present

CRM-M-25340-2017

petitioner. However, he was not present at his house at the time of recovery.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the fact that recovery has already been effected in the present case, I find that the petitioner is not required for custodial interrogation and, therefore, no useful purpose will be served by sending him to custody. Finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

26.07.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No