

CRM-M-14259-2018

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

CRM-M-14259-2018

Date of Decision:06.08.2018

Karam Singh @ Karma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Inderjit Singh Chawla, Advocate for
Mr. Monty Goyal, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Karam Singh @ Karma 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.291 dated 16.11.2017, registered at Police Station Sahnewal, District Ludhiana, under Section 61 of the Punjab Excise Act, 1914 and Section 22 of the NDPS Act, 1985.

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.

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From the record, I find that as per the prosecution version, a *Naka* was laid where a Tata pick-up was signalled to stop. The present petitioner is stated to have run away from the pick-up. As per the allegations, 50 boxes of countrymade liquor, each box containing 12 bottles of 750 ML, manufactured by Jagjit Industries Pvt. Ltd., Jagjit Nagar, Hamira, were recovered. Further, 10 strips of intoxicant tablets, each containing 10 tablets were also recovered. The aforesaid recovery of intoxicant tablets falls in non-commercial quantity.

In pursuance of the interim order dated 21.04.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected in the present case. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 21.04.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

06.08.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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