

(1)

CRM-M-26751-2018 (O&M)

CRM-M-26784-2018 (O&M)

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

(1)

CRM-M-26751-2018 (O&M)

Date of Decision:-11.10.2018

Gurpreet Singh alias Meeta Singh

... Petitioner

Versus

State of Punjab

... Respondent

(2)

CRM-M-26784-2018 (O&M)

Gurpreet Singh @ Gori

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurinder Singh Hayer, Advocate,
for the petitioner in CRM-M-26751-2018.

Ms. Meenu, Advocate for
Mr. Vivek Goel, Advocate,
for the petitioner in CRM-M-26784-2018.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

This order shall dispose of the above mentioned two petitions filed on behalf of Gurpreet Singh alias Meeta Singh and Gurpreet Singh @ Gori seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.116 dated 18.5.2018 under Section 61 of Punjab Excise Act, 1914 at Police Station Talwandi Sabo, Bathinda.

The FIR was registered on the basis of secret information received to the effect that Jaskaran Singh @ Gora, Gurpreet Singh @ Meeta

and Gurpreet Singh @ Gori and two unknown persons purchased country made liquor from Haryana at lower price and supplied the same in Punjab at higher price and that they are coming in a vehicle bearing registration No.PB-03-X-7323 and that in case barricading is raised they can be caught red handed.

Pursuant to receipt of the aforesaid secret information, barricading was raised by the police and the vehicle bearing registration No.PB-03-X-7323 was apprehended. While Jaskaran Singh @ Gora was arrested at the spot, the remaining managed to escape. A search of the vehicle yielded recovery of 32 boxes of country made liquor made in Haryana.

Notice of this petition was issued to the State.

The learned counsel representing the petitioners have submitted that the petitioners have falsely been implicated in the present case and that infact they were even neither arrested at the spot nor any recovery was effected from them.

On the other hand, the learned State counsel has submitted that since the petitioners have been specifically named in the FIR and that the allegations levelled in the FIR duly stand substantiated from the fact that the vehicle, as referred in the FIR, was apprehended from which 32 boxes of country made liquor made in Haryana were recovered and another co-accused namely Jaskaran Singh @ Gora was arrested at the spot, no case for grant of anticipatory bail to the petitioners is made out. It has, however, been informed that pursuant directions issued by this Court on 27.6.2018, the petitioners have since joined investigation.

Having considered the rival submissions addressed before this Court and bearing in mind the nature of allegations and also the fact that none of the petitioner was arrested at the spot and that the petitioners have since joined investigation, in my opinion, it is not a case warranting custodial interrogation. The present petitions, as such, are accepted and the interim directions issued by this Court vide order dated 27.6.2018 are hereby made absolute subject to the condition that the petitioners shall appear before the Investigating Officer as and when directed.

The present petitions stand accepted accordingly.

11.10.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No