

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-33986-2018

Date of Decision: 21.09.2018

Samual Masih and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ritesh Pandey, Advocate for
Mr. Manoj Kumar Sharma, Advocate for the petitioners.
Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioners Samual Masih and Kuldeep Singh @ Dabbu have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.168 dated 08.07.2018, registered at Police Station Tanda, Hoshiarpur, District Hoshiarpur, under Section 61 of Punjab Excise Act, 1914.

Notice of motion was issued in this case.

Learned State counsel has appeared and contested this petition.

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

As per the prosecution version, the applicants/accused came on motorcycle while keeping one sack (plastic) on the seat of said motorcycle, who on seeing police party got frightened and suddenly applied the breaks and fled away from the spot. 12 bottles of liquor Make Kraji Romeo were recovered from the bag.

In pursuance of the interim order dated 09.08.2018, passed by

not required for custodial interrogation. Recovery has already been effected.
No useful purpose would be served by sending the petitioners 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 09.08.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners 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.

21.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No