

**CRM-M-34970-2018 and  
CRM-M-39169-2018**

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

**Date of Decision:14.09.2018**

**1. CRM-M-34970-2018**

Sukhwinder Singh @ Babli

... Petitioner

Versus

State of Punjab

... Respondent

**AND**

**2. CRM-M-39169-2018**

Dalbara Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Ms. Davinder Kaur, Advocate for  
Mr. Saravpreet S. Gurna, Advocate,  
for the petitioners in both the petitions.

Ms. Monika Jalota, DAG, Punjab.

**INDERJIT SINGH, J. (Oral)**

This order shall dispose of CRM-M-34970-2018, filed by petitioner-Sukhwinder Singh @ Babli and CRM-M-39169-2018, filed by petitioner-Dalbara Singh, under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.69 dated 17.07.2018, registered at Police Station Kotwali Nabha, District Patiala, under Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and

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contested both these petitions.

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

As per the allegations, FIR has been registered on the basis of secret information. At the time of raid, 240 bottles of licit liquor to be sold in Haryana have been recovered from a car and scooter which were lying parked at the spot. The petitioners are stated to have run away from the spot.

In pursuance of the interim order dated 16.08.2018 passed in CRM-M-34970-2018 and dated 10.09.2018 passed in CRM-M-39169-2018 by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending them 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 both these petitions and the same are allowed. The order dated 16.08.2018 passed in CRM-M-34970-2018 and dated 10.09.2018 passed in CRM-M-39169-2018, granting interim bail to the petitioners, are 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.

**14.09.2018**

parveen kumar

**Note:** Whether speaking/reasoned  
Whether reportable

**(INDERJIT SINGH)  
JUDGE**

: Yes  
: No