

Sr. No.203

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

CRM No. M-38508 of 2017 (O&M)

Date of Decision: 25.01.2018

Ramesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Gurinder Singh Hayer, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks concession of pre-arrest bail in case
FIR No.94 dated 21.09.2017, registered under Section 61 of Punjab
Excise Act 1 of 1914 at Police Station Badhni Kalan, District Moga.

As per prosecution version based on secret information
a raid was conducted in the house of the petitioner and an alleged
recovery of 109 bottles of liquor make Empire No.1 Mota Santra
and 720 bottles of Khasa Mota Santra was effected.

Petitioner is alleged to have escaped from the spot.

While issuing notice of motion, the following order was
passed on 12.10.2017:

***“Notice of motion, returnable for
30.11.2017.***

***The petitioner is directed to join the
investigation and fully cooperate with the***

Investigating Officer/Arresting Officer. In the event of arrest, the petitioner shall be released on ad-interim anticipatory bail in FIR No.94 dated 21.09.2017, registered under Section 61 of Punjab Excise Act 1 of 1914, at Police Station Badhni Kalan, District Moga, on furnishing of his bail bonds amounting to Rs.10,000/- with one surety in the like amount to the satisfaction of the Arresting Officer."

Learned State counsel upon instructions from HC Tarsem Singh apprises the Court that the petitioner has already joined investigation.

Even though Court has been informed that petitioner is involved in four other FIRs under the Excise Act but it stands conceded that he is on bail in such matters.

It is a case where recovery already stands effected.

Petitioner has already joined investigation.

Prayer made in the instant petition is accepted. Order dated 12.10.2017, passed by this Court, is made absolute.

Disposed of.

25.01.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No