

Sr. No.208

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

CRM No. M-41123 of 2017 (O&M)

Date of Decision: 27.02.2018

Narinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Sumeet Singh Brar, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre arrest bail to the petitioner in case FIR No.83 dated 20.09.2017, under Sections 61/1/14 of the Punjab Excise Act, 1914, registered at Police Station S.G.N. Dev Thermal Plant, Bathinda, District Bathinda, Punjab.

While issuing notice of motion, the following order was passed by this Court on 02.11.2017:-

“Prayer in the instant petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 0083 dated 20.09.2017, registered under Section 61 of the Punjab Excise Act, 1914 at Police Station SGN Dev Thermal Plant, Bathinda, District Bathinda.

According to the prosecution, the petitioner is a bootlegger and indulged in the trade of illicit liquor.

On secret information, the house of the petitioner was raided and 35 bottles of country-made liquor were recovered from there in his absence.

Learned counsel inter alia contends that the petitioner was not apprehended at the spot. He has been falsely implicated in the instant case. Nothing has to be recovered from him.

Notice of motion for 06.02.2018.

In the meanwhile, the petitioner is directed to join investigation as and when called by the Investigating Officer. In the event of arrest, he shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. He shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from HC Iqbal Singh, Police Station Thermal, Bathinda apprised the Court that the petitioner has since joined investigation.

It has further gone uncontroverted that the petitioner is not involved in any other case under the Excise Act.

In view of the above, prayer made in the petition is accepted.

Order dated 02.11.2017 passed by this Court is made absolute.

Disposed of.

27.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No