

Sr. No.210

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

CRM No. M-44704 of 2017 (O&M)

Date of Decision: 03.04.2018

Mann Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Ms. Harpinder Kaur Sandhu, Advocate,
for the petitioner.

Mr. S.S.Sandhu, 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 anticipatory bail to the petitioner in case FIR No.164 dated 24.09.2017, under Section 61 of Punjab Excise Act, 1914, registered at Police Station Doraha, District Khanna.

While issuing notice of motion, the following order was passed by this Court on 24.11.2017:-

"It is inter alia contended that alleged recovery of 672 bottles of country made liquor have already been made from co-accused and that nothing is to be recovered from the petitioner. Moreover, a debatable issue has arisen as to element of registration of an FIR in such a case in view of the specific provisions of Punjab Excise Act.

Notice of motion 03.04.2018.

Meanwhile, in the event of arrest, the

petitioner be admitted to interim bail on his furnishing bail bonds to the satisfaction of arresting/Investigating Officer; that he will join investigation and will abide by conditions as envisaged under Section 438(2) Cr.P.C.”

State counsel upon instructions from HC Kulwinder Singh informs the Court that the petitioner has since joined investigation. Petitioner is not stated to be involved in any other case under the Punjab Excise Act.

That apart observations made by this Court in the notice of motion order have gone unrebutted.

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

Order dated 24.11.2017, passed by this Court is made absolute.

Disposed of.

03.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No