

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-46941-2017(O&M)
Date of Decision: 20.02.2018

Vinod Kumar & another

--Petitioners

Versus

State of Punjab

--Respondent

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

Present:- Mr. Prashant Bansal, Advocate for the petitioners.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in case F.I.R. No.222 dated 9.9.2017 under section 61 of the Punjab Excise Act, registered at Police Station, Rajpura, District Patiala.

As per prosecution version the alleged recovery effected is of 180 bottles of country made liquor. Such recovery has been effected from the house of one Baljit Singh.

It is the case of the prosecution that the present petitioners are involved as some secret information had been received that they were the tenants in the house of Baljit Singh.

It has gone uncontroverted that petitioners were not present on the spot at the time the alleged recovery was made.

Petitioners are not stated to be involved in any other case under the Excise Act.

Furthermore, State counsel upon instructions from ASI Jaspal Singh apprises the Court that the petitioners have since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 11.12.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

20.02.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No