

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7627-2018

Date of Decision: 26.04.2018

Yudhvir Singh @ Yodha

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Mr. J.S. Walia, Sr. D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

An affidavit of Sh. Gurtej Singh, PPS, Deputy Superintendent of Police, Sub-Division Sri Muktsar Sahib, has been filed in Court today by learned State counsel, stating therein that eight boxes of liquor, containing 96 bottles, were recovered from the petitioner and that other than the FIR in question presently, 07 others FIRs stand registered against him, out of which 02 are seen to be for offences punishable under the Punjab Excise Act and others for various offences under the IPC.

In the offences under the Excise Act, the petitioner was convicted earlier, with him also having been convicted in three of the other cases registered against him (for offences punishable under various provisions of IPC). In one case he has been acquitted and another is pending against him.

Learned counsel for the petitioner, on the other hand, submits that the eight boxes of liquor alleged to have been recovered, firstly, admittedly were not

has its origin in a dispute between the petitioner and a contractor who was actually in possession of the said liquor in his duly licensed vend, but simply because the petitioner has been convicted earlier of various offences, he has been implicated in the FIR in question.

Keeping in view the above contention, with the liquor in any case stated to have been recovered, I see no reason to not continue the concession of pre-arrest bail granted to the petitioner.

Hence, the liquor not having been recovered from either the petitioner or from his premises, the petition is allowed and the interim order dated 22.02.2018 is made absolute.

However, nothing stated hereinabove shall be taken to be an observation of this Court on the merits of the case for or against the petitioner, which would be gone into by the investigating agency and the competent Court, on the basis of evidence gathered/led.

April 26, 2018
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No.