

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-1944-2019
Date of decision: 19.03.2019**

Ajay Kumar @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manpreet Singh, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 118 dated 01.12.2018, registered under Section 61 of the Excise Act, 1914 at Police Station Mehna, District Moga.

The operative part of the order dated 17.01.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that though the accused persons are named with their parentage in the FIR, however, there is no parentage of the person named Aalu. Learned counsel for the petitioner further submits that the petitioner was not found present at the spot and the recovery has already been effected from co-accused Ashwani Kumar, who was arrested at the spot. It is further submitted that the petitioner is not involved in any other case and in fact it was a dispute between the two liquor contractors and one of the co-accused, namely Vicky @ Ajay Kumar, has already been granted concession of interim anticipatory bail, vide order dated 15.12.2018

passed by the Additional Sessions Judge, Moga. Notice of motion for 19.03.2019. ”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.01.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Major Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 17.01.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

19.03.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No