

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2863-2019 (O&M)

Date of Decision:- 24.7.2019

Ranjodh Singh @ Joti

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. R.S.Jhand, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. By way of filing this petition, the petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.204, dated 6.11.2018, Police Station Nihal Singh Wala, District Moga, Punjab, under Section 61 of Excise Act.
2. The FIR was registered on the basis of secret information to the effect that Jaskaran Singh, Chamkaur Singh @ Kori, Lovejeet Singh, Ranjodh Singh @ Joti and Mannu are indulging in getting illicit liquor which they procure from outside and sell in the State of Punjab at higher rates. Pursuant to the aforesaid information, a raid was conducted and 39 boxes of liquor (make Shehnai) were recovered from a residential house, stated to be owned by wife of co-accused Veerbhan Singh. Three of the accused namely Jaskaran Singh,

Chamkaur Singh @ Kori and Lovejeet Singh were arrested at the spot.

3. The learned counsel for the petitioner has submitted that he was neither arrested at the spot nor the alleged liquor was recovered from any premises owned by the petitioner and in these circumstances he deserves the concession of anticipatory bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and is involved in two other cases pertaining to offences under IPC, no case for grant of bail is made out.
5. Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner was not arrested at the spot and the recovery is not stated to have been effected from any premises owned or possessed by the petitioner, in my opinion, custodial interrogation is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 22.1.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. This petition stands accepted accordingly.

July 24, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No