

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

CRM-M-5083-2019 (O&M)
Date of Decision:-8.5.2019

Sandeep Khan @ Sandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumeet Puri, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.177 dated 22.10.2018 at Police Station Sadar Samana, District Patiala under Section 61 of Excise Act, 1914.

The allegations, in nutshell, are that on 22.10.2018, when the police party had held 'Nakabandi', then a black coloured Indica Car bearing registration No.CH-03-R-1952 was signaled to stop. However, the said car did not stop and was chased by the police party. Subsequently, the tyre of the car burst, but the driver as well as the passenger managed to escape. A search of the car yielded recovery of 240 bottles of liquor branded as 'Jugni' meant for sale in Haryana.

It is the case of prosecution that the car in question, upon inquiry, was found to be registered in the name of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, since he was not arrested at the spot, he could not be connected with the alleged recovery.

Opposing the petition, the learned State counsel has submitted that since the vehicle in question was registered in the name of the petitioner, his complicity is evident. It has, however, been informed that the petitioner has since joined investigation.

Having regard to the facts and circumstances of the case and while bearing in mind the fact that the petitioner was not arrested at the spot and has since joined investigation, in my opinion, it is fit case for grant of anticipatory bail. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 4.2.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

8.5.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No