

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

CRM-M-5764-2019

Date of Decision:03.07.2019

Kuldeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present : Mr. Munish Garg, Advocate
for the petitioner.

Mr. A.P.S. Gill, D.A.G. Punjab.

HARNARESH SINGH GILL, J. (Oral)

Prayer made in this petition is for grant of anticipatory bail to the petitioner in FIR No.0007 dated 11.01.2019 registered under Sections 78/61/1/14 of the Punjab Excise Act, 1914 at Police Station Sadar Mansa, District Mansa.

The allegations against the petitioner are that a secret information was received that the petitioner is habitual of selling the desi wine by bringing it from Haryana State to Punjab.

The petitioner was granted interim bail on 7.2.2019. Order dated 7.2.2019 is reproduced hereunder:

“Prayer made in this petition is for grant of anticipatory bail to the petitioner in FIR No.0007 dated 11.01.2019 registered under Sections 78/61/1/14 of the Punjab Excise Act, 1914 at Police Station Sadar Mansa, District Mansa.

The allegations against the petitioner are that a secret information was received that the petitioner is habitual of selling the desi wine by bringing it from Haryana State to Punjab. After receiving secret information, Nakabandi was held in between village Gehle and Nangal Khurd. The

petitioner/accused fled away after leaving his motorcycle bearing No.PB 13AG 3714. Two plastic bags were tied on both side of the motorcycle in which 48 bottles of country made liquor Sehnai of 750 ml. Each meant for sale in Haryana, were recovered.

Learned counsel for the petitioner states that the petitioner is first offender and recovery has already been effected.

Notice of motion for 28.03.2018.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and co-operate with the Investigating Agency, as and when required.”

As per the above-said direction, the petitioner has jointed the investigation and nothing is required to be recovered from him.

In view of the above, interim order dated 07.02.2019 is made absolute subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

The petition is allowed accordingly.

03.07.2019
rajeev

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No