

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

CRM-M-6859-2019

Date of decision:13.05.2019

RAM PARSHAD YADAV @ RAMU

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab assisted
by HC Jagjit Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.463 dated 8.12.2018 under Section 61 of Punjab Excise Act, 1914, Police Station Focal Point, Ludhiana.
2. The FIR was registered on the basis of secret information that Ram Parshad Yadav indulges in sale of liquor after purchasing the same at cheap rates from adjoining States and that he had taken a room on rent in Street No.2, Jasvir Colony, Ludhaina, where he stores huge quantity of country made foreign liquor. Pursuant to receipt of said information a raid was conducted at the nominated premises and from where 80 boxes of foreign liquor was seized.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he has nothing to do with the alleged recovery and cannot be attributed the possession of

the said liquor as the premises are neither owned nor in possession of the petitioner.

3. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and recovery has been effected pursuant to secret information, no ground for grant of anticipatory bail is made out. It has however been submitted that the petitioner is not involved in any other case and has joined investigation pursuant to interim directions issued by this Court.
4. Having regard to the facts and circumstances of the case and that the petitioner was not arrested at the spot and has already joined investigation, I do not find that it to be a case of custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 14.2.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer 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.
5. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

13.05.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**