

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

CRM-M-7436-2019
Date of decision: 3.5.2019

Beant Singh @ Gagna Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sandeep Kumar Bokolia, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab
assisted by HC Gurmeet Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.12 dated 23.01.2019 under Section No.61 of Excise Act, Police Station Sadar Kotkapura.
2. The FIR was lodged pursuant to receipt of secret information that petitioner-Beant Singh @ Gagna Singh was habitual of selling liquor after procuring the same from other State. Pursuant to receipt of said information raid was conducted at the house of the petitioner, however, he fled away from his house. A search of his house led to recovery of 50 bottles of 'Crazy Romeo' whiskey.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and was never arrested at the spot.

4. Opposing the petition, learned State counsel has submitted that since recovery was effected from the house of the petitioner, therefore, his complicity is evident. It has however been informed that the petitioner has since joined investigation and is not involved in any other identical case.
5. Having regard to the facts and circumstances of the case and while bearing in mind that it is a case of recovery of 50 bottles of whiskey from the house of the petitioner and also that the petitioner was not arrested at the spot and has since joined the investigation, in my opinion, it is a fit case for grant of anticipatory bail to the petitioner. Accordingly the petition is accepted and the interim directions issued vide dated 20.02.2019 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.
6. 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

3.5.2019
Gaurav Sorot

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

Whether reportable? **Yes / No**