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

C.R.M-M No.8566 of 2019 (O&M)

Date of Decision : 6.3.2019

Sukha Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Hoshiar Singh, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 438 of the Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.02 dated 5.1.2019 registered under Sections 61-1-14 of Punjab Excise Act, at Police Station Bhaini Mian Khan, Gurdaspur.

As per the allegations the police party received a secret information that the petitioner was coming with illicit liquor. A naka was laid and the petitioner was seen coming with a can. On seeing the police party he ran away but 20 bottles of illicit liquor was recovered.

Learned counsel has argued that it is impossible that the police party was prepared and the petitioner escaped on foot.

Learned DAG on instructions from ASI Manjeet Singh

Be that as it may, in my opinion, no useful purpose would be served by taking the petitioners in custody. In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he will be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating on any date as and when his presence is required.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

6.3.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No