

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

CRM-M-9167-2019 (O&M)
Date of Decision:-20.5.2019

Surinder Pal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manbir Singh Batth, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.0009 dated 8.2.2019 at Police Station Nurpur Bedi, District Rupnagar under Section 61/1/14 of Punjab Excise Act, 1914.

The FIR was lodged on the basis of secret information to the effect that Surinderpal is bringing liquor from Chandigarh in his 'Santro Car' bearing registration No.PB-12-B-0663.

Pursuant to receipt of the aforesaid information, barricading was held and the car in question was signaled to stop but the petitioner, who was driving the car sped away from the spot after throwing two bags from the car, which were found to contain 118 bottles of 'Jolt XXX Rum'.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and was never

arrested at the spot and it remains unexplained that despite the police having prior information, it was unable to apprehend the petitioner.

Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has, however, been informed that the petitioner has since joined investigation.

Having regard to the rival submissions addressed before this Court and the fact that the petitioner was not arrested at the spot and has already joined investigation, in my opinion, it is fit case for grant of bail. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 28.2.2019 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.

20.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No