

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

CRM-M-9834-2019 (O&M)
Date of Decision:-10.5.2019

Rajvir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Lakhwinder Singh Mann, 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 FIR No.175 dated 10.11.2018 at Police Station Boha, District Mansa under Sections 61/78 of Excise Act, 1914.

The allegations, in nutshell, are that during the course of checking of vehicle, ten boxes of country made liquor were recovered from a car bearing registration No.DL-4C-AP-4655, which had been signaled to stop by the police. The driver of the car disclosed his name as Balbir Singh and who later during interrogation disclosed that the petitioner Rajvir Singh was also involved with him and who used to drive motorcycle ahead of the car so as to see that there is any barricading.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any

case, he was not arrested at the spot and in these circumstances, he cannot be connected with the alleged recovery.

Opposing the petition, the learned State counsel has submitted that there is a specific disclosure statement, the complicity of the petitioner is evident. It has, however, been informed that the petitioner has since joined investigation and is not involved in any other case.

Having regard to the aforesaid facts especially that the petitioner was not arrested at the spot and has already joined investigation, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 5.3.2019 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.

10.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No