

**211-A        IN THE HIGH COURT OF PUNJAB AND HARYANA  
                 AT CHANDIGARH**

**CRM-M No.12876 of 2019 (O&M)  
Date of decision : 20.05.2019**

**Mohit Sharma**

**..... Petitioner**

**Versus**

**State of Punjab**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

**\*\*\***

Present :     Mr. Gaurav Gupta, Advocate for  
                 Mr. Digvijay Nagpal, Advocate  
                 for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

**\*\*\***

**AJAY TEWARI, J. (Oral)**

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.39 dated 18.02.2019 registered under Section 61 of the Excise Act, 1914 at Police Station City Malout, District Shri Muktsar Sahib.

Counsel for the petitioner states that the liquor was not recovered from the petitioner but was recovered from the house of Kallu-co-accused. The allegation is that the petitioner had got it.

In my opinion, in this case it would not be appropriate to grant custodial interrogation.

In the circumstances, 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 shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the Investigating Officer on 27.05.2019 and on any other date as and when his presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

**20.05.2019**

*Pooja sharma-I*

**( AJAY TEWARI )  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No