

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

CRM-M-12764-2019 (O&M)
Date of Decision:-9.7.2019

Gurjant Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sukhdeep Singh Sidhu, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.160 dated 2.10.2018 at Police Station Dharmkot under Section 61 of Excise Act, 1914.

The FIR was lodged on the basis of secret information to the effect that huge quantity of liquor has been stored at 'Dhaba' (eatery) situated at Kot Ease Khan Road in front of Electricity Office, which was being run by Gurjant Singh, who had taken the same on rent since long.

Pursuant to receipt of aforesaid information, a raid was conducted at the nominated premises and 53 boxes of liquor containing 636 bottles of liquor, meant for sale in Arunachal Pradesh, were recovered.

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

never arrested at the spot and that the aforesaid 'Dhaba' does not belong to him nor he has been running the same.

Opposing the petition, the learned State counsel has submitted that during the course of investigation, statement of owner of the 'Dhaba' premises had been recorded, who had stated that he had let out the same on rent to the petitioner. It has, however, been informed that the petitioner has since joined investigation and that the petitioner is not wanted in any other case.

Having regard to the facts and circumstances of the case and without commenting anything on merits of the case and while noticing that the petitioner has already joined investigation and nothing is to be recovered from him, the petition is accepted and the interim directions issued by this Court vide order dated 19.3.2019 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.

9.7.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No