

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13502-2019

Date of Decision: 30.04.2019

Gurinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gopal Singh Nahel, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Gurinder Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.50 dated 27.02.2019, registered at Police Station Lehra, District Sangrur, under Sections 61 and 78 of the Punjab Excise Act, 1914.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The FIR in the present case has been registered on the basis of secret information. As per the prosecution version, the present petitioner was not found at the spot. The recovery in the present case is of 240 bottles of country made liquor, which has already been effected by the police. The alleged recovery is from the car, which, as stated is owned by the present petitioner.

The petitioner has already joined the investigation. He is not required for custodial interrogation as the recovery has already been effected. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

30.04.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No