

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No.31694 of 2018
Decided on: 27.03.2019**

Gurbhej Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. B.S. Jaswal, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.76 dated 29.06.2018 registered under Sections 61/1/14 and 78(1) of the Punjab Excise Act and 186, 427 IPC at Police Station Doraha, District Ludhiana.

On 27.07.2018, while granting interim anticipatory bail to the petitioners, the following order was passed by this Court:-

“...Counsel for the petitioners has submitted that as per the allegation in the FIR, the police has already recovered liquor from a Canter, which was driven by co-accused Satnam Singh and he along with the Conductor namely Sartaj Singh was arrested at the spot. It is further submitted that as per the allegation in the FIR, the petitioners were in a different vehicle and as per the prosecution version, the said car in which the petitioners were traveling had already crossed the police barrier. It is also submitted that it will be a debatable issue whether the

petitioners were in conscious possession of the liquor recovered from the co-accused or not. It is further submitted that the petitioners are ready to join the investigation and co-operate throughout.

Notice of motion for 15.10.2018....”

Thereafter on 03 occasions, on the asking of the Investigating Officer, the petitioners were directed to rejoin the investigation.

Counsel for the petitioners has submitted that none of the petitioner is owner of the Innova car bearing registration No.PB-02-DK-0003 as petitioners No.1 and 2 are registered owner of Maruti Swift and Ford Figo car, respectively.

Counsel for the State, on instructions from HC Harpal Singh, has submitted that the petitioners have joined the investigation and they are not required for further investigation, however, it could not be ascertained in the enquiry, who is the registered owner of the aforesaid Innova car.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 27.07.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

27.03.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No