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CRM-M-43487-2018
CRM-M-44736-2018

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

1. **CRM-M-43487-2018**

Rajiv Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

2. **CRM-M-44736-2018**

Amit Rishi

....Petitioner

Versus

State of Punjab

....Respondent

Date of decision:10.01.2019

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ravi Malhotra, Advocate
for the petitioner in CRM-M-43487-2018.

Mr. Kawaljyot Singh, Advocate
for the petitioner in CRM-M-44736-2018.

Ms. Ruchika Sabherwal, AAG, Punjab
in both cases.

GURVINDER SINGH GILL, J. (ORAL)

1. This order shall dispose of aforesaid two separate petitions one filed on behalf of petitioner-Rajiv Kumar and another filed on behalf of petitioner-Amit Rishi seeking anticipatory bail in case registered vide

FIR No.221 dated 04.09.2018 under Sections 420 of Indian Penal Code, 1860 and Section 61 of Punjab Excise Act, 1914, Police Station Rama Mandi, District Jalandhar.

2. The case of prosecution in nut-shell is that while police party was present at Surya Enclave '*Phatak*' in connection with patrolling and in search of bad elements, a special informer informed that Amit Kumar @ Rishi, Rajiv Kumar and Ramesh Kumar deal in selling of liquor illegally after bringing the same at lower rates from Chandigarh and sell them at higher rates at Jalandhar. The information was further to the effect that they are presently waiting for customers in car bearing No.PB-10-AJ-7030.
 3. Pursuant to receipt of the said information a raid was conducted at Mohalla Guru Nanak Pura, West, near Raju Building Material Store. While car bearing registration No.PB-10-AJ-7030 was apprehended at the spot, all the three persons mentioned in the FIR managed to escape. Fives boxes, containing 12 bottles each of "King Gold Whisky" meant to be sold in Chandigarh only was recovered from the car.
 4. Pursuant to interim directions issues by this Court, both the petitioners are stated to have joined investigation.
 5. In view of the aforesaid factual position especially that the petitioners were not arrested at the spot, and have joined investigation, in my opinion, it is a fit case for grant of anticipatory bail to the petitioner.
- The petitions, as such are accepted and interim directions issued vide

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order dated 03.10.2018 passed in CRM-M-43487-2018 and order dated 10.10.2018 passed in CRM-M-44736-2018 are made absolute subject to the condition that the petitioners would appear before Investigating Officer 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.

6. The petitions are accepted in the abovementioned terms.
7. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

10.01.2019
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No