

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

CRM-M No. 44219 of 2018
Date of decision : February 21, 2019

Lovepreet Singh @ Lavi

..... Petitioner

v.

The State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Kamal Chaudhary, Advocate
for Mr. Charanjit Singh Bakhshi, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.31, dated 5.6.2018, registered under Section 61 of the Excise Act and Section 22 of the NDPS Act, at Police Station Balianwali, District Bathinda.

As per allegations in the FIR, the complainant was on patrolling duty in his private car along with 3-4 other policemen when he received a secret information that the petitioner and his co-accused (his father) were habitual of distilling and selling illicit liquor. On a raid being conducted, the petitioner managed to flee away but threw a packet from which intoxicating tablets etc. were also recovered, apart from 150 liters of lahan. Co-accused was arrested from the spot. Interim bail was granted to the petitioner.

Counsel for the petitioner has argued that it is highly unlikely that 4 or 5 policemen conducted a raid and the petitioner managed to escape. As per him, even if the petitioner was escaping there was no need for him to throw the contraband.

Be that as it may. Learned DAG Punjab, on instructions, from ASI Dharam Singh, states that the petitioner has joined the investigation and he is no more required for custodial investigation. In these circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Consequently, the order dated 6.10.2018 is made absolute, subject to the provisions of Section 438 of the Cr.P.C. The present petition stands disposed of accordingly.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

February 21, 2019
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No