

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

CRM-M-46997-2018 (O&M)

Date of Decision:- 11.2.2019

Lakhvir Singh @ Lucky Bhullar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagandeep Singh Manku, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.256, dated 2.10.2018, registered at Police Station City, District Kapurthala, under Sections 353 and 186 IPC and Section 61 of Excise Act.
2. The allegations as per FIR are to the effect that a secret information was received to the effect that Lucky Bhullar and Pali were coming in a red coloured Zen car and that Harjit Singh and Sukhwinder Singh were coming in a silver coloured UNO car, in which liquor was loaded. On receipt of said information, barricading was laid and both the cars were intercepted. While Pali and Lucky Bhullar managed to escape, the other co-accused namely Harjit Singh and Sukhwinder Singh, who were in UNO car were apprehended and search of the

UNO car yielded recovery of 10 boxes of liquor (each box containing 12 bottles of liquor).

3. Learned counsel for the petitioner has submitted that the petitioner was never arrested at the spot and has been falsely implicated in the present case.
4. On the other hand learned State counsel has submitted that the petitioner is specifically named in the FIR and the allegations virtually stands substantiated on account of recovery of 120 bottles of liquor from the car of the co-accused, no case for grant of anticipatory bail is made out. It has however been informed that the petitioner has already joined investigation.
5. Having regard to the facts and circumstances of the case and that the petitioner has already joined investigation and that the petitioner has never been arrested at the spot, in my opinion it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated 25.10.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

February 11, 2019

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No