

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

224

Criminal Misc. No.M-31569 of 2019

Date of decision : 16.08.2019

Deepak Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 81 dated 07.07.2019, under Sections 61 and 78 (2) of the Punjab Excise Act, 1914, registered at Police Station City-2 Mansa, District Mansa.

Learned counsel for the petitioner contends that the allegations in the FIR are that when the police personnel in furtherance of secret information had barricaded the road, one Bolero vehicle was stopped. The driver of the vehicle ran away from the spot and 420 bottles of country made liquor were recovered from the Bolero. He also contends that the petitioner has been arraigned as an accused as he is the owner of the Bolero. He further contends that it is not possible that vehicle is stopped and in the presence of the police officials, the driver of the vehicle runs away. He further contends that the petitioner is not involved in any other similar case.

This Court, by the order dated 25.07.2019, had directed the petitioner to appear before the Investigating/Arresting Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim

bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from Head Constable Jarmal Singh, states that although the petitioner has joined investigation but the source from where he had obtained the liquor is to be ascertained.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 25.07.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

August 16, 2019

sonia gugnani

Whether speaking/reasoned : Yes
Whether Reportable : Yes/No

.