

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-41277 of 2019

Date of Decision: October 03, 2019

Rajdeep Singh @ Rinku @ Sulakhandeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. T.P.S. Makkar, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.23 dated 30.01.2019 under Sections 61/78/1 of the Punjab Excise Act, 1914, registered at Police Station City Malout, District Sri Muktsar Sahib. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner contends that the FIR in question was recorded on the statement of HC Baljinder Singh, wherein it was alleged that he along with HC Narinderpal Singh, C. Paramjeet Singh, C Jaspreet Singh, C Jaskarandeep Singh were going on a private car which was driven by him regarding patrolling and checking of suspected persons. When they reached at Bus stand Malout Mandi then secret informer informed that Rajdeep Singh @ Rinku @ Sulakhan Singh and his father, who are habitual of bringing country made liquor at low rates from Haryana and sell the same on higher rates in city Malout. Both of them had gone to bring country made liquor from Haryana on their car bearing

registration no. DL-3CAN-0558 make Ford Ikon Silver Grey colour. Recovery of 25 boxes, each box containing 12 bottles of liquor, was effected on the basis of secret information received by him, from the car bearing no. DL-3CAN-0558. The said allegations led to the registration of the present FIR.

Learned counsel for the petitioner contends that he has been falsely implicated in the present case. Even vehicle involved in the incident does not belong to the petitioner, the recovery as alleged in the FIR has already been effected. The investigation of the case is complete which is triable by the Magistrate.

On the other hand, learned State counsel who is assisted by ASI Harbhajan opposes the prayer on the ground that the petitioner is also involved in one more case under NDPS Act. However he is unable to controvert the stand of learned counsel for the petitioner that the vehicle from which the recovery was effected does not belong to the petitioner.

Considering the above, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

The petition is allowed.

October 03, 2019
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[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No