

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

CRM-M-61675-2018 (O&M)

Date of Decision:- 5.3.2019

Lakhvir Singh @ Lakhi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurpreet Singh Sandhu, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner – Lakhvir Singh @ Lakhi seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.342, dated 26.11.2018, registered at Police Station Talwandi Sabo, District Bathinda, under Sections 61/78 of the Punjab Excise Act.
2. The case of the prosecution, in nutshell, is that pursuant to receipt of a secret information to the effect that petitioner-Lakhvir Singh, Amrit Singh and Resham Singh bring liquor from State of Haryana at cheaper rates and sell the same in Punjab at higher rates, barricading was held and a Bolero jeep was apprehended. The driver of the said

Bolero jeep disclosed his name as Resham Singh. Upon checking the said jeep, 1200 bottles of liquor were recovered.

3. It is further the case of prosecution that during the course of interrogation, said Resham Singh suffered a disclosure statement to the effect that Amrit Singh and Lakhvir Singh are party to the offence and are shareholders.
4. Pursuant to interim directions issued by this Court on 20.12.2018, the petitioner is stated to have joined investigation.
5. Having regard to the nature of offence and the fact that the petitioner was not arrested at the spot and has already joined investigation, 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 20.12.2018 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.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

March 5, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No