

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

CRM-M-61679-2018 (O&M)

Date of Decision:- 5.3.2019

Chamkaur Singh and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. V.S.Mand, Advocate, for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioners – Chamkaur Singh and Ashok Kumar seek grant of anticipatory bail in respect of a case registered against them vide FIR No.0164, dated 30.11.2018, registered at Police Station Sadar Raikot, District Ludhiana, under Section 61 of the Punjab Excise Act.
2. It is the case of prosecution that a secret information was received to the effect that the petitioners along with their associates Manjinder Singh alias Bhola and Sant Singh indulged in sale of liquor in the area of Raikot, at higher rates after procuring the same at cheaper rates from Chandigarh. Pursuant to receipt of said information barricading was held and a car was signaled to stop. Although, all

the three occupants of the car managed to escape, the search of the car yielded recovery of 10 boxes of liquor, each containing 12 bottles, meant for sale in Chandigarh. It is further the case of prosecution that subsequently 5 more boxes were recovered from the house of co-accused Manjinder Singh.

3. Pursuant to directions issued by this Court on 20.12.2018, the petitioners are stated to have joined investigation.
4. Having regard to the nature of allegations and the fact that the petitioners were not arrested at the spot and have 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 petitioners 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.
5. 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