

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.64583 of 2018 (O&M)
Date of decision : 10.01.2019

Arun Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sandeep Jasuja, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.189, dated 12.11.2018 registered under Section 61 of the Punjab Excise Act, 1914 at Police Station City-I, Abohar, District Fazilka.

As per the allegations, the police had received information that the co-accused along with two other un-named persons was selling illicit liquor. Raid was conducted and 40 boxes of liquor marked for Haryana were recovered. Two persons were arrested but the petitioner was not found at the spot and has been implicated on the disclosure of those two persons.

Counsel for the petitioner has argued that the place where the

raid was conducted does not belong to the petitioner. The petitioner has no

connection with this offence.

Learned Deputy Advocate General, on instructions from H.C. Balbir Singh has argued that the petitioner was named by his co-accused and another case under the Excise Act is pending against him.

In view of the entire facts and circumstances of the present case, and without commenting upon the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer as and when required by the I.O. On his appearance the I.O. shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438 (2) Cr.P.C. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

10.01.2019

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No