

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-64763 of 2018

.....

Date of decision:04.02.2019

Vinod Kumar alias Gattu

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Priyanshu Kamra, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the  
respondent-State.

.....

**Inderjit Singh, J.**

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.247 dated 16.12.2018 registered for the offences under Sections 61(1) read with Section 78 of the Punjab Excise Act, 1914 at Police Station Sadar Mansa, District Mansa

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned State counsel appearing for the respondent-State and have gone through the record.

A perusal of the record shows that at the time of raid the present petitioner ran away from the spot and his co-accused was

apprehended at the spot and on checking of the scooty, 84 bottles Theka Desi liquor Mark-Shehnai for sale in Haryana of 750 ml. each were recovered. The recovery in the present case has already been effected.

The present petitioner has already joined the investigation. As stated he is not required for any custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 8.1.2019 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

February 04, 2019.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |