

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-64797-2018
Date of decision: 11.02.2019**

Kala Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Satvir Singh, Advocate for
Mr. A. S. Manaise, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 137 dated 12.12.2018, registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Arniwala, District Fazilka.

The operative part of the order dated 01.01.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner has submitted that the FIR was registered on the basis of secret information that the petitioner is habitual of distillation and sale of illicit liquor. As per the allegations of the prosecution on conducting of raid, the petitioner escaped while recovery of 250 kg of lahan was made from his house. The petitioner has been falsely implicated due to political rivalry on account of Village Panchayat Elections. No recovery remains to be made. The petitioner was acquitted in both the criminal cases registered against him earlier in Police Station Arniwala vide FIR No. 147 dated 12.06.1999 and FIR No. 78 dated 27.08.2015. Notice of motion for 11.02.2019.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 01.01.2019, has already appeared before the

SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from HC Beant Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 01.01.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

February 11, 2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No