

CRM-M-87028-2018

**203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-87028-2018

Date of decision : 04.01.2019

Gaurav and another

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Nakul Sharma, Advocate for
Mr. M.S. Sachdev, Advocate
for the petitioners.

Mr. Shireesh Gupta, Senior Deputy Advocate General, Punjab.

AMIT RAWAL, J. (ORAL)

The petitioners have sought anticipatory bail in case FIR No.177 dated 06.10.2018 registered under Sections 420 IPC and 61 of Punjab Excise Act, 1914, at Police Station Division No.2, Jalandhar, District Jalandhar.

Vide order dated 28.12.2018, the petition qua petitioner No.1-Gaurav was dismissed as having been rendered infructuous as he has already been arrested on 26.12.2018.

Mr. Shireesh Gupta, Senior Deputy Advocate General, Punjab, on instructions from ASI Baldev Singh, submitted that the recovery of contraband had already been effected from the co-accused-Ajay Kumar, who had already granted regular bail by the learned Court below.

Keeping in view the facts and circumstances of the present case, without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. However, in the event of arrest,

petitioner No.2 shall be released on bail to the satisfaction of the Arresting Officer, subject to the conditions contained in Section 438 (2) Cr.P.C and shall join the investigation as and when required.

04.01.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No