

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

CRM-M-56147-2018
Date of decision:28.02.2019

Billa @ Sukhjinder and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

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

Mr. R.S. Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.183 dated 1.11.2018 under Section 61 of Punjab Excise Act, Police Station city-I, Abohar.
2. The allegations in nut-shell are that the petitioner procures liquor from Haryana so as to sell of the same in Abohar at a higher rate. Pursuant to receipt of a secret information, raid was conducted at Dhani of co-accused Jagsir Singh from where 433 boxes of 'Khasa Haryana' make liquor and 151 boxes of 'First Choice' Haryana made liquor was recovered. However, the petitioner was not arrested at the spot.
3. Pursuant to interim directions issued by this Court, the petitioner has already joined investigation.

4. Having regard to the facts and circumstances of the case especially that the petitioner was not arrested at the spot and already joined investigation, I do not find it to be a case of custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 14.12.2018 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also 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.

(GURVINDER SINGH GILL)
JUDGE

28.02.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**