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

CRM-M-9804-2020

Date of decision-12.03.2020

Maninder Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. G.S.Nahel, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has prayed for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.81 dated 12.09.2019 under Section 61/1 of Punjab Excise Act, 1914 registered at Police Station Ghagga, District Patiala. He apprehended his arrest at the hands of Police in the above FIR.

As per the prosecution case, when the Police party was on patrol duty at Drain Bridge area, Village Sadharanpur, a car was seen coming. On seeing the police, driver of the car tried to return back but the car slipped into the paddy field. In the meantime, three persons fled away from the spot whereas remaining three persons were caught by the Police. Upon search, 25 boxes of intoxicant bottles (containing 600 bottles) of 'Sahiba Malta' and 05 boxes of intoxicant bottles (containing 60 bottles) of 'Shahsahi' were recovered from the Innova car bearing No.PB-11-CB-1962.

Learned counsel for the petitioner contends that the petitioner

was not arrested on the spot and the recovery was effected from the vehicle owned by Jagjiwan Singh. It is pointed out that the said accused is on regular bail and the petitioner is not involved in any other case.

On the other hand, learned State counsel who is assisted by ASI Paramjit Singh has opposed the prayer, however, it is not disputed that the alleged liquor was recovered from the vehicle owned by Jagjiwan Singh. It is also not disputed that the petitioner is not involved in any other case.

Considering the above background, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

12.03.2020
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No