

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12307-2020 (O&M)
Date of Decision:-5.10.2020

Sodhi Ram

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navraj Singh, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.54 dated 8.9.2019 at Police Station Sadar Kurali, District SAS Nagar, Mohali under Sections 61/1/14 of Punjab Excise Act, 1914.
2. The FIR was lodged pursuant to secret a information to the effect that some persons indulged in smuggling of liquor and used to bring the same from Chandigarh at a lower price so as to sell the same at a higher price in Kurali and that they were bringing some liquor in a vehicle bearing registration No.PB-10-ES-9880. It is further the case of prosecution that the aforesaid vehicle was apprehended but driver of the vehicle managed to flee from the spot and that a search of vehicle led to recovery of 100 boxes of liquor. The vehicle was found to be registered in the name of one Veena Rani, who was

interrogated and who disclosed that she had already sold the said vehicle to one Harpreet Sharma. The aforesaid Harpreet Sharma was also quizzed by the police and who disclosed that he had further sold the vehicle to the petitioner Sodhi Ram.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case on the basis of a disclosure statement made by one Harpreet Sharma, who is not even the owner of vehicle in question.
4. Opposing the petition, the learned State counsel has submitted that since huge quantity of liquor was recovered from a vehicle and there is specific statement against the petitioner made by Harpreet Sharma, no case for grant of bail is made out. The learned State counsel, upon instructions from ASI Dalwinder Singh, has, however, informed that pursuant to interim directions issued by this Court on 14.5.2020 the petitioner has already joined investigation and is not wanted for any further investigation.
5. Having regard to the aforestated position from where it is apparent that the petitioner has been nominated on the basis of a disclosure statement and has already joined investigation, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 14.5.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation 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.

5.10.2020

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**