

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

202

(1)

CRM-M-12431-2020

Onkar Singh

... Petitioner

Versus

State of Punjab

... Respondent

(2)

CRM-M-17066-2020

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

Decided on : 10.08.2020

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Vicky Sharma, Advocate, for the petitioner in CRM-12431-2020.
Mr.A.S.Khinda, Advocate, for the petitioner in CRM-17066-2020.

Mr.Saurav Khurana, DAG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioners seek anticipatory bail in the petition filed under Section 438 Cr.P.C., in FIR No.68 dated 24.09.2019 lodged under Section 61 (1) of Excise Act, 1914, registered at Police Station Dhilwan, District Kapurthala.

Interim protection was granted to Harpreet Singh on 02.07.2020 by noting the relief given to Onkar Singh earlier on 15.05.2020. The order in favour of Onkar Singh reads as under:

“It is contended by counsel for the petitioner that the name of the petitioner has wrongly been involved in the case; and that the petitioner is not involved in any sale of illicit liquor. Even as per the allegations; it is other persons, including Harjinder Singh, who were doing this business. The petitioner was only employed as an accountant in the firm of the main accused Harjinder Singh and others. Harjinder Singh has already been granted regular bail in the matter. It is also submitted that the petitioner does not have any other case against him.

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202 CRM-M-12431 & 17066-2020 -2-

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab, accepts notice on behalf of the State of Punjab and seeks time to verify the facts.

Adjourned to 07.08.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Counsel for the petitioners submit that the petitioners have joined investigation.

Mr.Khurana, on instructions from ASI-Paramjit Singh, confirms the said fact and submits that the source of liquor was not disclosed by the petitioners.

Keeping in view the fact that Harjinder Singh was arrested and granted regular bail, it was for the prosecution to find the source from the person incharge. It is the contention of counsel for the petitioners that there was a dispute with one Sukhdeep Singh who was also partner in the liquor business on which account the FIR had been lodged to settle the business rivalry inter se the partners in the liquor trade.

In such circumstances, the present petitions are disposed of and the interim orders dated 15.05.2020 and 02.07.2020 passed in favour of the petitioners are confirmed.

AUGUST 10, 2020
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No