

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17795-2020 (O&M)

Date of decision: 08.07.2020

Vivek Kumar Mahajan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gaurav Partap S. Pathania, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.0082 dated 20.04.2020 under Section 61/1/14 of Punjab Excise Act, 1914 and Section 188 IPC, registered at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police received a secret information that the petitioner is doing the business of selling illicit liquor and if a raid is conducted, the same can be recovered. Thereafter, the police recovered 05 boxes of liquor containing 60 bottles in the absence of the petitioner, that too without following the proper procedure. It is further submitted that recovery has already been effected and the petitioner is no more required for custodial investigation.

Notice of motion.

On asking of the Court, Mr. Ajay Pal Singh Gill, AAG, Punjab accepts notice on behalf of the respondent-State and submits that the petitioner is facing trial in three other FIRs pertaining to the year 2015 and 2019.

After hearing learned counsel for the parties, considering the facts and circumstances of the case, this petition is allowed and the petitioner is granted anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

08.07.2020

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[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No