

CRM-M-17852-2020(O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17852-2020(O&M)
Date of decision: 31.07.2020

Gurmeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Neeraj Jain, Advocate for the petitioner

Mr.Randhir Thind, DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

On 8.7.2020, the following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.112 dated 12.6.2020 registered under Section 61 of Punjab Excise Act, 1914 at Police Station Sadar Bathinda, District Bathinda.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Bathinda in para 5, which is extracted as under:-

“5. Perusal of the file reveals that on the basis of secret

information received against applicant that he is habitual of distilling and selling illicit liquor, raid was conducted at the farm of accused, who was found moving hand in a plastic drumi. Seeing the police party, he managed to escape. A plastic drumi containing 50 litres Lahan was recovered from the farm of accused. While fleeing from the spot, accused was identified by the private witness Ranjit Singh son of Surjit Singh, r/o Daula, District Sri Muktsar Sahib.”

Learned counsel for the petitioner contends that the petitioner is not an owner of the farm and he is merely an employee.

Notice of motion.

On the request of the Court, Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Adjourned to 31.7.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to 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.”

Learned State counsel on instructions from ASI Kaur Singh submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation.

In view of the above, order dated 8.7.2020 is hereby made absolute.

Petition stands allowed.

31.7.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No