IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.18281 of 2020
DATE OF DECISION : 13th JULY, 2020

Hanuman

…. Petitioner

Versus

State of Punjab

…. Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court
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Present: Mr. Gurvinder Singh Sidhu, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory/pre-arrest bail in case FIR No.83 dated 30.05.2020 registered under Sections 61 of the Punjab Excise Act 1914, at Police Station Nahianwala, District Bathinda.

It is contended by counsel for the petitioner that the case against the petitioner is totally baseless and frivolous. No recovery has been affected in the presence of the petitioner. The allegation against the petitioner that he ran away from the spot is totally false. There is no other case against the petitioner. Still further, it is submitted that in any case alleged recovery, if any, stands affected. Nothing else is required to be recovered. The petitioner shall join the investigation. Hence the petitioner deserves the concession of anticipatory bail.

Notice of motion.

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Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of the State.

Learned State counsel, on instructions from ASI Gamdur Singh, submits that two drums of *"lahan"* of 50 kg each, have been recovered from the house of the petitioner. However, he had run away from the spot. But it is not disputed that there is no other case against the petitioner and that the recovery already stands effected.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds/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.

13th JULY, 2020 **(RAJBIR SEHRAWAT)**
'raj' **JUDGE**

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*

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