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

CRM-M No.17926 of 2019

Date of Decision: 13.01.2020

Gursewak Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.80 dated 31.03.2019, registered under Sections 61/1/14 of Punjab Excise Act at Police Station Sadar Dhuri, District Sangrur.

At the time of issuance of notice of motion on 26.04.2019, following order was passed by the Co-ordinate Bench:-

“The case of the petitioner is that he has been wrongly involved in this case. Although, the secret informant had named the petitioner, however, no recovery has even been effected either from the petitioner or any premises belonging from the petitioner. The alleged recovery is from the house of the other co-accused. The name of the petitioner has been mentioned only out of rivalry arising from the village politics. Otherwise, the petitioner has no connection with the recovery of the alleged illicit liquor.

Notice of motion for 14.08.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim 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.”

Learned State counsel on instructions from HC Karnail Singh states that the petitioner has joined the investigation and he is no more required for any further investigation of the case. However, he submits that the petitioner has some antecedent behaviour of such type of activity and he is on bail on earlier cases.

Be that as it may, without making any observation on merits of the case, I deem it appropriate to confirm the anticipatory bail. Petitioner shall keep on appearing as and when called upon to do so by the Investigating Officer and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C which are as under:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from

disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

January 13, 2020

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No