

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

CRM-M-19355-2020

Date of Decision: 21.7.2020

Vicky alias Navjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Lupil Gupta, Advocate, for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

NIRMALJIT KAUR, J. (Oral)

The present petition is filed under Section 438 Cr.P.C. seeking grant of pre-arrest bail in FIR No.95 dated 1.7.2020 under Sections 61/1/14 of Punjab Excise Act, 1914, Police Station Budhlada, District Mansa.

Issue notice of motion.

Ms. Monika Jalota, Deputy Advocate General, Punjab accepts notice.

Short reply by way of affidavit of Baljinder Singh, PPS, Deputy Superintendent of Police, Sub Division, Budhlada, District Mansa dated 21.7.2020 has been filed stating therein that the allegations of the petitioner that the land does not belong to him is incorrect. The petitioner was residing in that house. After verification, it was found that his family members i.e. mother of the petitioner, father, grandmother etc. were residing in that house. The house is constructed on the agriculture land and the said land is in the name of Amrik Singh father of the petitioner and his family members.

Be that as it may, the recovery in the present case is stated to be

against the petitioner. Moreover, the allegation is only recovery of 96 bottles of country made liquor and not production of the same.

In view of the same, the present petition is disposed of with a direction to the petitioner to join the investigation and on his doing so, 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 continue to 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.

In case, the petitioner does not join the investigation or does not cooperate in the investigation, the respondent/State shall be at liberty to file an application for cancellation of his anticipatory bail.

(NIRMALJIT KAUR)
JUDGE

21.7.2020
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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No