

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-20764-2020 (O&M)

Bara Singh alias Balbir Singh alias Baru ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-20881-2020 (O&M)

Makhan Singh ... Petitioner

Versus

State of Punjab ... Respondent

III) CRM-M-22370-2020 (O&M)

Balvir Singh alias Billu ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-9.12.2020

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Chandan Singh Rana, for the petitioner(s).

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Paramjit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the aforesaid three petitions filed on behalf of petitioners Bara Singh alias Balbir Singh alias Baru, Makhan Singh and Balvir Singh alias Billu seeking grant of anticipatory bail in respect of a case registered vide FIR No.102 dated 28.4.2020 at Police Station Phillaur, District Jalandhar under Section 61(1) of Punjab Excise Act.
2. The FIR in question was lodged pursuant to an information received by SI Kulwinder Kumar from Baldev Krishan Excise Inspector, Phillaur and Jagtar Singh, Excise Inspector, Goraya to the effect that Jaspal Singh, Makhan Singh, Pritam Singh @ Preet, Balvir Singh @ Bharu, Balvir Singh, Channa, Gulzar Singh, Billu, Sonu son of Gulzar, Kalu, Sonu son of Satnam and Vanjara were preparing illicit liquor by laying furnaces at short distances from each other with the jurisdiction of village Allowal. Upon receipt of said information, the police raided the premises in question from where Jaspal Singh @ Jassu was apprehended at the spot while the others managed to escape.
3. The learned counsel for the petitioners have submitted that they have falsely been nominated as accused in the FIR and that it is highly improbable that despite receipt of secret information, the police would go unprepared and would not be able to arrest them. It has further been submitted that pursuant to interim directions issued by this Court the petitioners have since joined investigation.
4. Opposing the petition, the learned State counsel has submitted that since it is a case where a huge recovery of 32000 liters of 'lahan' and 300 liters of illicit

liquor has been effected, no special case for grant of anticipatory bail is made out. It has, however, been informed that the petitioners have since joined investigation.

5. Having regard to the facts and circumstances of the case and bearing in mind the nature of allegations and the fact that none of the petitioners was arrested at the spot, the petitions are hereby accepted and the interim directions issued on 29.7.2020 and 11.08.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

9.12.2020

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No