

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****204****CRM-M-21974-2020****Date of Decision: 04.12.2020**

Makhan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Chandan Singh Rana, Advocate, for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.64 dated 14.07.2020 at Police Station Laddowal, District Ludhiana under Section 61(1) of the Punjab Excise Act, 1914, wherein it is alleged that a secret information had been received against the petitioner to the effect that he had stored a heavy quantity of liquor in his fields on the back side of his house and that pursuant to said information, 8 plastic cans of illicit liquor, which measured 34 bottles, were recovered from near the house of the petitioner.
2. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that no recovery whatsoever was effected either from the petitioner or from his house and as such, he deserves the concession of anticipatory bail.

3. Opposing the petition, learned State counsel has, however, informed that the petitioner has been involved in two other cases registered under Excise Act and as such, does not deserve the concession of bail. It has further been informed that pursuant to the interim directions, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. Having regard to the facts and circumstances of the case, especially that the petitioner was never apprehended at the spot and had since joined the investigation and his custodial interrogation is not required, the petition, as such, is accepted and the interim directions issued by this Court vide order dated 07.08.2020 are hereby made absolute subject to the condition that the petitioner 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.

04.12.2020

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**