

S.No.109

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

CRM-M-22056 of 2020 (O&M)

Date of Decision:07.08.2020

Billu Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Siddharth Gupta, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.0066 dated 28.06.2020 registered under Section 16 of the Punjab Excise Act, 1914 at Police Station Ballianwali, District Bathinda.

It is contended by counsel for the petitioner that the case against the petitioner is concocted for oblique reasons. Undisputedly, the petitioner was not arrested from the spot. The alleged recovery has been fabricated by the Police by pressurising the chowkidar of the Village. The petitioner is not involved in any such activity of liquor business. He does not have any other case against him.

Notice of motion.

Mr. Hitten Nehra, Addl. AG, Punjab, accepts notice on behalf of the State.

Learned State Counsel has submitted that the recovery of 50 kg. of lahan has been effected from the house of the petitioner in the presence

of chowkidar of the village. The ownership of the house, from where the recovery has been effected is not even disputed by the petitioner. However, it is not disputed that there is no other case against the petitioner and that the recovery already stand effected.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that 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.

August 07, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No