

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

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CRM-M-22059-2020
Date of decision : 07.08.2020

Neeraj Kumar @ Rohit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

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IN VIRTUAL COURT

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CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed under Section 438 of the Cr.P.C. for seeking anticipatory bail to the petitioner in FIR No. 46 dated 08.03.2020, under Section 61/1/14 of the Punjab Excise Act, 1914, registered at Police Station Sahnewal, District Ludhiana.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. No recovery has been effected either from the petitioner, or in his presence or from his premises.

There is no other case against the petitioner.

Notice of motion.

Mr. Hitten Nehra, Addl.A.G., Punjab, accepts notice on behalf of the respondent.

Learned State counsel submits that the name of the petitioner has been mentioned in the secret information itself, pursuant to which recovery of 20 boxes of illicit liquor have been made. However, it is not

disputed that there is no other case against the petitioner and that the petitioner is not the owner of the premises, from where the alleged recovery has been effected.

In view of the above, the present petition is allowed. It is ordered that the petitioner shall join the investigation as and when so required by the Investigating Agency. However, the Investigating Officer is directed to release the petitioner on bail on his furnishing bail bonds/surety to the satisfaction of the Arresting Officer, in case he is arrested. It is further directed that the petitioner shall also observe the other conditions as required under Section 438(2) of Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

07.08.2020
anju

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No