

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

CRM-M-23791-2020 (O&M)

Date of decision: 16.09.2020

Vijay Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S. Sarwara, Advocate for the petitioner.

Mr. Sidakmeet Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 54 dated 14.05.2020 registered under Section 61 of the Punjab Excise Act, 1914, Sections 420, 465, 468, 471, 120-B, 188 and 269 IPC and Section 10 of the Disaster Management Act, 2005, at Police Station Shambhu, District Patiala.

Learned counsel for the petitioner states that the petitioner has been falsely implicated in the present FIR. The petitioner is the owner of the Cold Store, which was rented out to one Sunil Kumar son of Sohan Lal. The person who was apprehended at the spot, has named other co-accused persons in his disclosure statement, but not the petitioner. The co-accused, who were named in the FIR, have already been released on bail and recovery has already been effected.

Copy of reply by way of affidavit dated 10.09.2020 of Deputy Superintendent of Police, Circle Ghanaur, District Patiala, submitted by the learned State counsel through email, is taken on record.

Learned State counsel, on instructions from ASI Malwinder, has not disputed the facts that the petitioner has not been named in the FIR and co-accused have been granted bail. The challan has been presented in the present case.

I have heard the learned counsel for the parties.

In view of the above, the present petition is allowed. The petitioner is directed to join the investigation as and when called for and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

16.09.2020
Mangal Singh

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