

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

**CRM-M No.24053 of 2020
Date of Decision :24.08.2020**

Ajit Singh @ Jeet Singh @ Jeeta

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present: Mr.Chandan Singh Rana, Advocate for the petitioner.
Mr. H.S.Sitta, AAG, Punjab, assisted by ASI Mohan Lal.

(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Petitioner prays for an anticipatory bail under Section 438 of Cr.P.C. in FIR No.82, dated 08.05.2020, under Section 61(1) of Punjab Excise Act, 1914 and under Section 188, 269 of IPC and under Section 51(b) of Disaster Management Act, 2005, registered at Police Station Bilga, District Jalandhar.

As per the prosecution version upon a secret information that Malkiat Singh @ Ganju and Ajit Singh @ Jeeta residents of Burj Hassan along with 1-2 unidentified persons were involved in the business of preparing and selling an illicit liquor on the bank of Sutlej River, inside Dhusi Brij, 2 iron drums containing 150 K.G. of lahan each with 15 bottles of illicit liquor were recovered from the spot.

Learned counsel for the petitioner submits that although the

petitioner is specifically named in the FIR but he was neither apprehended at the spot nor any recovery was affected from his person. So much so, this was not the case of the prosecution either that on seeing the police party he fled from the scene of occurrence. Thus, there was hardly any material to connect the petitioner with the alleged offence.

The factual position as set out above is not disputed by Mr. H.S.Sitta, AAG, Punjab, although, he submits that besides the present case the petitioner was also involved in two other FIRs under Punjab Excise Act, 1914.

In response, learned counsel for the petitioner submits that in one of those FIRs the petitioner has since been acquitted, whereas in the other he is on bail.

In the given circumstances, the petition is accepted and in the event of arrest the petitioner shall be released on bail subject to furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when required and shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

(ARUN PALLI)
JUDGE

24.08.2020

Manoj Bhutani

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