

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

208

**CRM-M-25120-2020
Decided on: 06.10.2020**

Des Raj Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present : Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Mr. A.A. Pathak, Additional AG, Punjab.

(The proceedings are being conducted through
video conferencing as per instructions.)

G.S. Sandhawalialia, J. (Oral)

The petitioner in the present petition filed under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No.130 dated 05.08.2020 under Sections 61/1/14 of the Punjab Excise Act, 1914, registered at Police Station Nahianwala, District Bathinda.

On 31.08.2020, the following order was passed:-

“Inter alia contends that recovery has already been effected on account of the raid conducted and the anticipatory bail has been declined by the Additional Sessions Judge, Bathinda on 19.08.2020 (Annexure P-2). The same is on account of the fact that there was a liquor tragedy in the State of Punjab. It is submitted that false cases as such have been registered against large number of persons on account of political rivalry.

Notice of motion.

Mr. Rana Harjasdeep Singh, DAG, Punjab accepts notice on behalf of the State and prays for time to file an affidavit showing the

number of cases which are registered against the petitioner and whether any such case of similar nature is pending or not.

List on 06.10.2020.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail by the investigating officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438 (2) Cr.P.C.”

Counsel for the petitioner submits that the petitioner has joined investigation in pursuance of the above said order.

The said fact is opposed by the State counsel on instructions from HC Deshraj. It is submitted that the petitioner has been convicted in an NDPS case, however his sentence has been suspended during the pendency of the appeal.

Counsel for the petitioner submitted that there is no another case as such of similar nature against him under the Excise Act.

Accordingly, keeping in view the above fact, the interim order dated 31.08.2020 is confirmed and the petition stands disposed off.

06.10.2020

Parveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No