

S.No.108

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

CRM-M-25366 of 2020 (O&M)

Date of Decision:01.09.2020

Paramjit Singh @ Pappi

.....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. Brijeshwar Singh Bhalla, 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.157 dated 10.08.2020 registered under Section 61 of Punjab Excise Act 1914 at Police Station Dharamkot, District Moga.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Nothing was recovered from the petitioner. Still further, it is submitted that even if the Police claims to have recovered illicit liquor from the house of the petitioner, still, the recovery already stand effected. The custody of the petitioner is not required for any investigation purposes. Counsel has also submitted that there is no other case against the petitioner.

Notice of motion.

Mr. A.P.S. Gill, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, being instructed by ASI Charanjit

Singh, submits that there are specific allegations against the petitioner. Fifty bottles of illicit liquor have been recovered from the vehicle parked inside the house of the petitioner. Therefore, the petitioner cannot claim false implication by the Police. However, it is not disputed that the recovery already stands effected in this case; and that there is no other case against the petitioner.

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.

September 01, 2020
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(RAJBIR SEHRAWAT)
JUDGE

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