

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-25565-2020 (O&M)****Date of Decision: 22.12.2020**

Gulab Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Abhishek Singla, Advocate, for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab,
assisted by SI Gurwinder Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.117 dated 26.06.2020 at Police Station Talwandi Sabo, District Bathinda, under Sections 61 and 78 of the Punjab Excise Act.
2. At the time of issuance of notice of motion, the following order was passed on 02.09.2020:

“It is the case of prosecution that a secret information was received that the petitioner Gulab Singh alongwith Kuldeep Singh indulge in sale of liquor meant for sale in Haryana. Pursuant to receipt of said information, barricading was raised. The petitioner alongwith Kuldeep Singh, who was coming on a motorcycle, upon seeing the police party turned back and ran away from the spot while throwing away a sack containing bottles, which upon checking was found to contain 13 bottles of liquor meant for sale in Haryana.

”

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and was never apprehended at the spot.

Notice of motion for 22.12.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. The learned State counsel upon instructions from SI Gurwinder Singh has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for any custodial interrogation and also that he is not involved in any other case.
4. Having regard to the nature of allegations and while bearing in mind that the petitioner has already joined investigation and is not required for custodial interrogation and while also noticing that the petitioner is not involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 02.09.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

22.12.2020

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**