

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

**CRM-M No.25892 of 2020
Date of Decision :03.09.2020**

Beant Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr.J.S.Sidhu, Advocate for the petitioner.
Mr.P.S.Walia, AAG, Punjab.
(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.143, dated 23.08.2020, under Section 61 of Punjab Excise Act, 1914, registered at Police Station City Budhlada, District Mansa.

As per the prosecution version on receiving the secret information house of the petitioner was searched leading to recovery of 40 litres of Lahan though the petitioner managed to flee from the spot.

Learned counsel for the petitioner submits that implication of the petitioner is apparently false. Neither the petitioner was apprehended on the spot nor any recovery was caused from his possession. Further, no independent witness, as necessary, was joined during the search and alleged recovery of 40 litres of Lahan either. He submits that neither the petitioner has ever been involved in any similar case nor any such matter is pending against him.

The factual position, as set out above, is not disputed by Mr. P.S.Walia, AAG, Punjab.

In the given circumstances, the petition is accepted. 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, he shall join the investigation as and when required and shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

(ARUN PALLI)
JUDGE

03.09.2020
Manoj Bhutani

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