

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

206

**CRM-M-25901-2020
Decided on : 26.10.2020**

Lal Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present: Mr.M.S.Tiwana, Advocate, for the petitioner.

Mr.H.S.Rana, DAG, Punjab.

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

G.S. Sandhawalia, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C., by the petitioners for grant of anticipatory bail in FIR No.120 dated 05.08.2020 lodged under Sections 61, 1, 14 of the Punjab Excise Act, 1914 at Police Station Sadar Budhlada, District Mansa.

On 03.09.2020, the following order had been passed:

“Learned counsel for the petitioner submits that the allegation against the petitioner is that 50 kilograms of Laahan/illicit liquor was recovered from the house of the petitioner. He further submits that in earlier FIR No.38 dated 12.03.2008 under Section 61 of the Excise Act, Police Station Sadar, Budhlada, petitioner was acquitted by the trial court and there is no other case against him.

Notice of motion for 26.10.2020.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.PC.”

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Counsel for the petitioner submits that the petitioner has joined investigation. Said fact is vouched by the State Counsel, on instructions from Senior Constable-Jaswant Singh. He further submits that petitioner does not have any other case of similar nature pending against him.

Accordingly, keeping in view the fact that recovery has already been effected, no useful purpose would be served in taking the petitioner in custody and since the petitioner's antecedents are clean as he is not involved in any other case of similar nature, the interim bail orders are liable to be confirmed, in the facts and circumstances.

Accordingly, in view of the above, the interim bail granted on 03.09.2020 is made absolute.

Petition stands disposed of.

OCTOBER 26, 2020
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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No