

S.No.102

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

CRM-M-26865 of 2020 (O&M)

Date of Decision:09.09.2020

Lachhman Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

=====

IN VIRTUAL COURT

=====

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Deepak Gupta, 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.76 dated 10.08.2020 registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Singh Bahagwantpur, District Rupnagar.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner has been named in the case only on the basis of the alleged disclosure statement of the co-accused, who belongs to the village of the present petitioner. However, the petitioner has no connection, whatsoever, either with the arrested co-accused or with the material recovered from him. The Police has involved the petitioner in the present case only because he is already facing two more cases of similar nature. Beyond this, there is no connecting material to show the connection of the petitioner with the present case.

Notice of motion.

Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel has submitted that a heavy recovery of ten boxes of liquor, containing 12 bottles each has been effected from the co-accused of the petitioner. The petitioner has been named by the co-accused. However, it is not disputed that there is no material to connect the petitioner to the said co-accused or the material recovered from him except the disclosure statement of the said co-accused.

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 09, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

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