

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

**CRM-M-29175 of 2020
Date of Decision:-28.09.2020**

Sukhwinder Singh @ Sukha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Surmeet Singh Sandhu, Advocate
for the petitioner.

Mr. P.S. Walia, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.0265 dated 30.08.2020, under Sections 61, 78(2) of Excise Act, 1914, Section 188 of IPC and Section 51 of the Disaster Management Act, 2005, registered at Police Station City, Kapurthala.

The allegations which have been contained in the FIR are that the petitioner was caught and 132 bottles of liquor of different brands was recovered from him. Learned counsel for the petitioner has submitted that in fact it was a false case implanted upon the petitioner and submitted that the time of occurrence, which has been shown in the FIR was of night time, however, in the video which was having shown the time of Naka was day

time. Therefore, the allegations were falsely implanted upon the petitioner.

Notice of motion was issued in this case on 23.9.2020 and learned counsel for the petitioner was also directed to supply two copies of video in pen drive to learned State counsel. The interim protection was granted to the petitioner on that date.

Today learned counsel for the petitioner has submitted that he has already submitted the pen drives to learned State counsel and the learned State counsel on instructions from ASI jaswant Singh has stated that the petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the statement made by learned State counsel, the present petition is allowed and the order dated 23.9.2020 is hereby made absolute.

September 28, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No