

CRM-M-32658 of 2020

**202IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-32658 of 2020
Date of decision: 11.12.2020

Gulzar Singh @ Gijjar Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Sukhveer Kaur, Advocate, for the petitioner.
Mr. R.S. Thind, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.116 dated 16.09.2020 registered under Section 61-1-14 of the Punjab Excise Act, 1914 at Police Station Qadian, Tehsil Batala, District Gurdaspur.

Briefly stated, the case of the prosecution is that on a raid conducted by the police 150 litres of lahan was recovered from the house of the petitioner on the basis whereof petitioner was arrayed as an accused.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case; he is not involved in any other criminal case; he is a senior citizen aged 75 years; he has been implicated due to political rivalry as he is the ex-sarpanch of the village; no recovery has been effected from his person; in the alleged raid no independent

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witness was associated and that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency.

Learned State counsel on instructions of ASI Manjit Singh admits to the fact that the petitioner has joined the investigation; he has co-operated with the investigating agency and that his custodial interrogation is not required.

After considering the totality of the above facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 14.10.2020 granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

December 11, 2020
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No