

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

CRM-M-43318-2020
Date of decision: 22.12.2020

Pal Singh @ Jaspal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jasdeep Singh, Advocate
for the petitioner.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 112 dated 23.05.2020, registered under Section 61 of the Excise Act, 1914 at Police Station Maur, District Bathinda.

Learned counsel for the petitioner submits that the FIR was registered against the petitioner on a secret information that he is habitual of distilling illicit liquor in his house and if a raid is conducted, the illicit liquor can be recovered. Thereafter, as per the version of police, a raid was conducted, which included more than five officials, however, the petitioner was not arrested at the spot as he ran away and recovery of 100 liters of *Laahan* was effected.

This Court has issued directions in a number of cases to Director General of Police, Punjab that some appropriate action be taken against such police officials who fail to nab the accused despite there being a secret information and knowing the exact location, from where the recovery is to be effected.

A perusal of the FIR shows that petitioner is a middle aged man, aged about 40 years, and as per police version, he has managed to run away from the spot.

Notice of motion.

Ms. Monika Jalota, DAG, Punjab, who is also appearing through video conferencing, accept notice on behalf of the respondent-State and on instructions from HC Ram Singh, she could not dispute the factual position.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the aforesaid facts and circumstances of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

22.12.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No