

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

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CRM-M No.43921 of 2020

DATE OF DECISION : 24th DECEMBER, 2020

Sukhbir Singh alias Veero

.... **Petitioner**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Joginder Pal Devgan, Advocate for the petitioner.

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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.0087 dated 18.05.2020 registered under Sections 61, 1, 14 of the Punjab Excise Act, 1914 at Police Station Khalra, District Tarn Taran.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. The police claims to have recovered 140 kg of *lahan*, meant to extract the illicit liquor, from the house of the petitioner. However, no independent witnesses have been joined by the police even at the time of that alleged recovery. It is not even disputed that the petitioner has not been arrested from the spot and the alleged recovery already stands effected. There is no other case against the petitioner. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the State.

The learned State Counsel, being instructed by SI Kulwant Singh, has submitted that a very heavy quantity of the *lahan* has been recovered from the house belonging to the petitioner. However, it is not disputed that there is no other case against the petitioner and that the recovery already stands effected.

In view of the above, 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.

24th DECEMBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>