

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

CRM-M-46651-2019(O&M)

Date of decision: 11.02.2020

Jorawar Singh @ Sodhi

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Chandan Singh Rana, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for quashing of FIR No. 98 dated 21.08.2018 registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Lambran, District Jalandhar Rural alongwith all subsequent proceedings arising therefrom.

Learned counsel for the petitioner states that during the pendency of the bail application of co-accused Kulwinder Singh, the stand of the State was that the liquor in question belongs to him and accordingly his bail was rejected, vide order dated 20.02.2019. He also brought to the notice of this Court the rent agreement dated 15.03.2017 vide which the property in question, which is owned by the petitioner, was rented out to Kulwinder Singh. Moreover, the petitioner was also declared innocent by the Deputy Superintendent of Police, Jalandhar, but the cancellation report was not

accepted by the Senior Superintendent of Police (Rural), Jalandhar. He further relies upon the judgment of Hon'ble Supreme Court of India in ***Criminal Appeal Nos. 478-479 of 2017*** titled as '***Vinubhai Haribhai Malaviya and Ors. Vs. State of Gujarat and Anr.***' decided on 16.10.2019 and prays for withdraw the present petition with liberty to raise all the please before learned trial Court by moving the application, as the challan has already been presented in the case.

Dismissed as withdrawn with the liberty aforesaid.

(HARNARESH SINGH GILL)
JUDGE

11.02.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No