

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

**CRM-M-3382-2021 (O&M)
Date of Decision: 03.09.2021**

Dilbagh Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kulwinder S. Lakhanpal, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by Lekh Raj.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.118 dated 31.12.2020 at Police Station Purana Shalla, District Gurdaspur, under Sections 61/78(2) of the Punjab Excise Act..
2. At the time of issuance of notice of motion on 25.01.2021, the following order was passed:

“Learned counsel for the petitioner submits that he has falsely been implicated in the instant case on the allegation that pursuant to receipt of a secret information against the accused to the effect that he was coming on motorcycle while carrying illicit liquor, barricading was held, but the accused somehow managed to run away upon noticing the barricades after leaving his motorcycle from which 100 bottles of illicit liquor are stated to have been recovered.

Learned counsel for the petitioner has submitted that it is highly unbelievable that the police despite having received prior secret information could not apprehend

the petitioner and which would necessarily indicate that he has falsely been implicated.

Notice of motion for 17.05.2021.

xx

xxx

xxx”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and his custodial interrogation is not required. Learned State counsel has, however, informed that he is involved in six other cases.
4. Having regard to the facts and circumstances of the case and bearing in mind that the petitioner is stated to have joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 25.01.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

03.09.2021

VY

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No