

CRM-M-5803-2021

Date of Decision: 10.12.2021

Kulwant Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. A.S. Barnala, Advocate, for the petitioner.
Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'pre-arrest bail', upon FIR No. 03 having been registered at Police Station Sadar Budhlada, District Mansa, on 07.01.2021, alleging therein the commission of offences punishable under the provisions of Sections 61/78(2) of the Punjab Excise Act, 1914.

The petitioner having been admitted to interim bail, vide an order passed by this court (coordinate Bench) on 24.03.2021, thereafter, a reply has also been filed by the Deputy Superintendent of Police, Sub-Division Budhlada, dated 15.03.2021, which is ordered to be taken on record.

As per the said reply, other than the facts as recorded in the FIR, it is stated that the petitioners' name was disclosed by Lovepreet Singh, to the effect that the petitioner (Hardeep Singh) had managed to escape from the place where the boxes of country liquor were recovered, with some more liquor allegedly taken in the car in which he escaped.

It is therefore stated that the petitioner not having got the liquor recovered, that he and his accompish had “run away” with, his custodial interrogation is very much required.

Upon query to learned State counsel, he upon instructions from ASI Najir Singh, submits that there is no other criminal case registered against the petitioner.

That being so, with the petitioner having been arraigned as an accused on an alleged disclosure statement made in police custody, with the allegation being one under the provisions of the Punjab Excise Act, 1914, without making any comment on the actual merits of the case, the petition is allowed, with the order dated 24.03.2021 made absolute, on the same terms and conditions.

December 10, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.