

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

204

**CRM-M-5265-2020**

**Date of Decision: 03.09.2021**

Amandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Raman Singla, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,  
assisted by HC Khuswinder Singh.

*(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.76 dated 27.06.2019 at Police Station Chhajli, District Sangrur, under Sections 61 and 78 of the Punjab Excise Act.
2. The FIR was lodged on the basis of a secret information to the effect that Anil and Harpreet Singh were carrying a large quantity of liquor from Tohana (Haryana) so as to sell the same to various persons. The information was further to the effect that on the given day, Anil was proceeding in Mahindra Jeep bearing registration No.HR38S-5328. Upon receipt of said information, barricading was held and the police was able to intercept the jeep in question, which was being driven by Anil and the search of

which led to recovery of 480 bottles of country made liquor brand 'Malta' and another 480 bottles of country made liquor brand 'Shehnai'. It is the case of the prosecution that during the course of interrogation, the aforesaid Anil disclosed that the said liquor was to be supplied to the petitioner Amandeep Singh @ Harpreet Singh.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and even as per the case of the prosecution, he was never arrested at the spot and has been nominated on the basis of a disclosure statement made by co-accused. It has been submitted that such like disclosure statement would hardly carry any evidentiary value in the absence of any other evidence to show the involvement of the petitioner.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has, however, been informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner was never arrested at the spot and has been nominated on the basis of a disclosure statement and is also 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 06.02.2020 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**

Vimal

**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**