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

CRM-M No. 5078 of 2020
Date of Decision: 07.09.2021

Avtar Singh

-Petitioner

Versus

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Dadwal, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.06 dated 12.01.2020 registered under Section 61/1/14 of Excise Act at Police Station City Morinda, District Rupnagar.

On 05.02.2020, following order was passed:-

“Learned counsel for the petitioner contends that the petitioner was apprehended in a 'Tawera' car along with 2 boxes of liquor marka 'Master Moments'. It has been alleged

that the petitioner was also sitting in 'Indigo' car and the said car was also searched by the Excise Team and 24 bottles of 'Shokeen Santra' were recovered from the said car. When the Excise Team was searching 'Tawera' car, the petitioner succeeded in fleeing from the spot.

Learned counsel for the petitioner states that the petitioner is not involved in any other case and one recovery has been planted at two places.

Notice of motion for 01.04.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 09.02.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

This fact has been admitted by learned State counsel on instructions from ASI Surinder Singh and submits that

challan has already been submitted on 06.08.2020, charges have been framed on 10.03.2021 and now the case is fixed for prosecution witnesses.

In view of above, order dated 05.02.2020 is made absolute.

However, the petitioner shall keep on appearing before the trial Court regularly.

Disposed of.

September 07, 2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No