

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

214

CRM-M-7543-2021

Date of Decision: 07.09.2021

Gurdayal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. C.S.Rana, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Jaswinder Singh.

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.213 dated 20.10.2020 at Police Station Bilga, Jalandhar, under Section 61/01/14 of the Punjab Excise Act.
2. At the time of issuance of notice of motion on 17.02.2021, the following order was passed:

“Learned counsel for the petitioner submits that it is a case where a secret information was received by the police to the effect that Janti, Gurdayal (petitioner) and Geji were distilling illicit liquor near the banks of Satluj river in the area of Village Bhode by setting up a furnace there. Pursuant to receipt of said information, a raid was conducted at the nominated place and recovery of 11000 kilogram of “*lahan*”, 4 iron drums, 3 plastic pipes was

effected from the spot. However, none was arrested from the said place.

Learned counsel for the petitioner has submitted that the alleged recovery is stated to have been effected from an open place and it also remains unexplained as to why despite receipt of advance information by the police none could be arrested from the spot.

Notice of motion for 19.05.2021.

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 is not required for any custodial interrogation. It has also been informed that the petitioner happens to be involved in 3 other cases including 2 under the Excise Act.
4. Having regard to the aforestated position wherein the petitioner was never apprehended at the spot and is also stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 17.02.2021 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.

07.09.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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

Whether reportable: **Yes/No**