

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8785-2020 (O&M)

Date of Decision:- 6.9.2021

Ujjagar Singh @ Jaggi

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Gurpreet Kaur, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Balvir 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. 36, dated 8.2.2020, Police Station Division No.6, District Ludhiana, under Section 61(1)(14) of Punjab Excise Act.
2. The FIR was lodged on the basis of a secret information received by the police to the effect that the petitioner indulges in sale of liquor illegally and brings the same from Chandigarh at cheaper rates and

thereafter sells the same at higher rates. It is alleged therein that the petitioner had collected huge quantity of liquor in his house and that he supplies the same with the help of his Esteem car bearing registration No. PB-10-FF-0702. Pursuant to receipt of said information, a raid was conducted and police was able to recover Esteem car bearing registration No. PB-10-FF-0702, 5 boxes of liquor brand 555 Gold Whisky and 12 bottles of liquor brand Jubilee Rare Whiskey. However, the petitioner was not apprehended at the spot.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case on the basis of alleged secret information which cannot have any basis.
4. Opposing the petition, learned State counsel has submitted that the secret information was against the accused specifically by name and the same stands substantiated upon recovery of liquor from house. Learned State counsel has also informed that the petitioner is involved in 8 other cases and is a habitual offender. Learned State counsel has however, informed that the petitioner has since joined investigation and that challan already stands presented.
5. Having regard to the aforestated position wherein the petitioner has joined investigation and in fact the investigation is complete and challan stands presented, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 28.2.2020 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.

6.9.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No