

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

214

CRM-M-14837-2021

Date of Decision: 24.08.2021

Mangu Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. P.K.Phoolka, Advocate, for the petitioner.

Mr. H.S.Multani, AAG, Punjab,
assisted by ASI Gurnaib 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 vide FIR No.0044 dated 19.03.2021 at Police Station Talwandi Sabo, District Bathinda, under Section 61 of the Punjab Excise Act.
2. At the time of issuance of notice of motion, the following order was passed:

“Learned counsel for the petitioner contends that it is a case where the prosecution alleges that 40 litres of ‘*Lahan*’ was recovered from a plastic can from the residence of the petitioner, pursuant to a raid conducted upon receipt of secret information. Learned counsel further contends that he was never arrested at the spot and has, in fact, been falsely implicated at the behest of a local wine contractor, who was trying to set up a liquor vend in the village which was being opposed by the petitioner and other social workers of the area.

Notice of motion for 24.08.2021.

xx xx”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not involved in any other case.
4. Keeping in view the aforestated position wherein the petitioner was not arrested at the spot and is stated to have joined investigation and is stated to have a clean record, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 05.04.2021 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.

24.08.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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

Whether reportable: **Yes/No**