

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

CRM-M-19695-2020 (O&M)

Date of Decision: 24.03.2021

Gaggu @ Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Neeraj Madaan, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Paramjit 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.55 dated 28.05.2020 at Police Station Vairoke, District Fazilka, under Section 61 of the Punjab Excise Act.
2. At the time of issuance of notice of motion on 20.07.2020, the petitioner had contended that the land from where the alleged recovery of 180 liters of *lahan*; 10 bottles of illicit liquor and working still was effected, does not belong to him and in fact belongs to Rinkle Kumar.
3. Learned State counsel has today informed that the aforesaid contention has been got verified and it has been found that the land in question was very much in possession of the petitioner. Learned State counsel has, however, informed that the petitioner has since

joined investigation and that no other case of similar nature is pending against him.

4. Keeping in view the aforestated position, wherein the petitioner is stated to have joined investigation and is not involved in any other case of similar nature, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.07.2020 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.

24.03.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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