

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

**CRM-M-31624-2021
Date of decision: 09.08.2021**

Resham Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Mohit Sadana, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 131 dated 31.08.2020, registered under Section 61 of the Excise Act at Police Station Sadar Jalalabad, District Fazilka.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police received an information that co-accused Janta Singh is indulged in selling country made liquor and if a raid is conducted, huge recovery of illicit liquor can be effected.

Learned counsel further submits that from the raid conducted by the police, 40 liters of Lahan; 03 bottles of illicit liquor and components of working still were recovered.

It is further submitted that on the disclosure of aforesaid co-accused Janta Singh that one Ramesh Singh son of Natha Singh is also indulged in the crime, the petitioner has been involved in the present case, however, the name of the petitioner is 'Resham Singh'.

Learned counsel further submits that the identity of the petitioner is yet to be established whether he is the same person, who has been named in the disclosure of co-accused Janta Singh.

Learned counsel further submits that another co-accused Gurjant Singh, whose name also figured in the disclosure, has already been granted concession interim anticipatory bail, vide order dated 31.03.2021 passed in CRM-M-14383-2021.

Learned State counsel has opposed the prayer on the ground that petitioner was convicted in one another case, however, it is not disputed that he is nominated in the present case on the basis of the disclosure of aforesaid co-accused.

After hearing learned counsel for the parties, considering the fact that petitioner has been nominated on the basis of disclosure of aforesaid co-accused and also in view of the fact that co-accused Gurjant Singh, whose name also figured in the said disclosure, has already been granted interim anticipatory bail as noticed above, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

09.08.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No