

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

(203)

CRM-M-31987-2021.
Date of Decision:-15.11.2021.

Gurdeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Binat Sharma, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No.74 dated 12.06.2021 under Sections 61, 1 and 14 of the Punjab Excise Act, 1914, registered at Police Station Shri Anandpur Sahib, District Rupnagar.

On 10.08.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

*“Prayer is for grant of anticipatory bail in case FIR
No.74 dated 12.06.2021 under Sections 61-1-14 of the Punjab
Excise Act registered at Police Station Shri Anandpur Sahib,
District Rupnagar.*

*FIR was registered on the basis of secret information
with the allegations that Daljit Singh and Pradeep Kumar*

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besides the present petitioner were involved in distilling the illicit country liquor and selling the same at cheap rates. They had installed a working still in the area of village Mehan near Satluj river opposite to the cremation ground. A raid was conducted upon receipt of secret information and 400 litres of raw lagan were recovered from two drums. 12 litres of illicit liquor was also recovered from a plastic can.

Learned counsel for the petitioner contends that the petitioner has been falsely roped in with the recovered raw lagan having already been destroyed. Petitioner has clean antecedents and that he undertakes to cooperate with the investigating agency. There is no other case registered either under NDPS or excise Act against the petitioner.

Notice of motion for 15.11.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Pritam Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

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Keeping in view the above-said facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for grant of pre-arrest bail is allowed and the interim order dated 10.08.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

November 15, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No