

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

203

CRM-M-32162-2021

Date of Decision: 23.12.2021

Gulzar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: None for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
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 against him vide FIR No.102 dated 28.04.2020 at Police Station Phillaur, District Jalandhar, under Section 61(1) of the Punjab Excise Act.
2. At the time of issuance of notice of motion on 11.08.2021, the following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.102 dated 28.04.2020 at Police Station Phillaur, District Jalandhar, under Section 61(1) of the Punjab Excise Act.

The FIR in question was lodged pursuant to an information received by SI Kulwinder Kumar from Baldev Krishan, Excise Inspector, Phillaur and Jagtar Singh, Excise Inspector, Goraya to the effect that Jaspal Singh, Makhan Singh, Pritam Singh @ Preet, Balvir Singh @ Bharu, Balvir Singh, Channa, Gulzar Singh, Billu, Sonu son of Gulzar, Kalu, Sonu son of Satnam and Vanjara were preparing illicit liquor by laying

furnaces at short distances from each other within the jurisdiction of village Allowal. Upon receipt of said information, the police raided the premises in question from where Jaspal Singh @ Jassu was apprehended at the spot while the others managed to escape.

As per the averments made in the petition, the petitioner is stated to have been falsely implicated as an accused and that it is highly improbable that despite receipt of secret information, the police would go unprepared and would not be able to arrest him.

Notice of motion for 23.12.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that the petitioner happens to be involved in 2 other cases.
4. Having regard to the aforestated position, wherein the petitioner was never apprehended at the spot and is also stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 11.08.2021 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.

23.12.2021

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(GURVINDER SINGH GILL)**JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**