

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

204

CRM-M-33505-2020

Date of decision : 29.07.2021.

Happy Gujjar @ Satpal

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Atul Goyal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 161 dated 02.08.2020, under Sections 61 and 78 (2) of the Punjab Excise Act, 1914 ('Excise Act' - for short), registered at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused on the basis of secret information. The alleged recovery of 43 boxes of liquor has been effected from Bolero jeep which belongs to co-accused, namely, Davinder Singh @ Bhupi, who was arrested at the spot. There is no *prima facie* material which would connect the petitioner with the alleged commission of offence. It is alleged that the petitioner had run away when the recovery was effected. He, however, contends that it would not be possible for the petitioner to have run away from the spot in the presence of several police officials, especially when the recovery was effected in a broad day light from near the G.T. Road. There is no independent witness to the

recovery. He also contends that the petitioner has been involved in this case, as there were several cases against him under the Excise Act in which he has been granted anticipatory bail.

This Court, by order dated 11.01.2021 had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Raj Kumar, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 11.01.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 29, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No