

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

**CRM-M No. 46358 of 2021 (O&M)
Date of Decision: 03.11.2021**

Joginder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Bhupender Beniwal, Assistant Advocate General, Punjab

SURESHWAR THAKUR, J. (ORAL)

An FIR No. 171 of 11.10.2021, constituting therein offences, under Section 61 of Punjab Excise Act, 1914, is registered against the present bail applicant - petitioner, at Police Station City Fazilka, District Fazilka.

Learned State Counsel submits, that though the recovery of liquor bottles, stands effected from the bail applicant, by the Investigating Officer, however, since he is a habitual offender, thereupon, he prayed that the facility of anticipatory bail be declined by this Court.

However, since the recovery of the illicitly manufactured liquor bottles has been effected, by the Investigating Officer concerned, and, when the imposition of stringent conditions upon the bail applicant – accused, against his re-indulging, in commission of offence, would be suffice, against his repeating the commission of an offence similar to the one, as, carried in the FIR (supra). Therefore, upon imposition of stringent

conditions on the petitioner, this Court grants anticipatory bail to the

accused. Consequently, in the event of his arrest, he shall be released, by the Investigation Officer, on his furnishing personal and surety bonds in the sum of ₹ 50,000/- each, before him, and, also subject to his not tampering with prosecution evidence, and/or not influencing prosecution witnesses, and, also his appearing before the Investigating Officer concerned, as and when he is required to be making his personal appearance.

It is clarified that in case the bail applicant, does not comply with conditions (supra), and / or, he further engages in any criminal activity, thereupon, the order above shall remain be *ipso facto* cancelled, and, also he shall be forthwith taken into custody, by the Investigating Officer concerned.

Disposed of.

November 03, 2021
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(SURESHWAR THAKUR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No