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

CRM-M-3-2021

Date of decision : 02.03.2021

Gurmeet Singh alias Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Manpreet Kaur, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.0195 dated 12.12.2020 registered under Sections 61, 1, 14 of the Punjab Excise Act, 1914, at Police Station Ghagga, District Patiala.

As per the prosecution case, the raid was conducted on the basis of secret information.

The prosecution has not joined the independent witnesses in terms of Section 100 of Cr.P.C. This fact has been verified by the learned State Counsel, on instructions from ASI Khem Chand. No other case under the Punjab Excise Act, is pending against the petitioner except two cases under the Indian

Penal Code.

Looking to the aforesaid circumstances, I am of the view that the petitioner has made out a case for the grant of anticipatory bail. The petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 07.03.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any

02.03.2021

Pawan

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No