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

CRM-M No.49138 of 2021 (O&M)

Date of decision: 24.11.2021

Lovepreet Singh @ Lovely

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.209 dated 14.09.2021 registered under Section 61 of the Excise Act, 1914, at Police Station City 1 Abohar.

Counsel for the petitioner has argued that as per the allegations in the FIR, the police party received a secret information that co-accused of the petitioner namely Deepak Swami along with the petitioner are coming in a car and are carrying liquor meant for sale in the State of Haryana and if they are intercepted, the recovery can be effected. Later on, by putting a barrier, 72 bottles of liquor meant for sale in the State of Haryana, were recovered. It is further submitted that the only evidence against the petitioner is that his name surfaced in the secret information and the petitioner is not involved in any other case. Lastly, it is submitted that the co-accused of the petitioner namely Deepak Swami, has already been granted the concession of anticipatory bail vide order dated 21.10.2021 passed in CRM-M No.44297 of 2021.

The operative part of the said order, reads as under:-

“Learned counsel for the petitioner submits that though as per allegations in the FIR, the petitioner was named in the secret information that he is coming in a car carrying some liquor which is meant for sale only in Haryana and a barrier was laid, however, when the car was stopped, the petitioner succeeded in running away. It is further submitted that this is entirely an unbelievable story as in the presence of a number of police officials, who were having prior information about the petitioner, and despite there being a barrier laid by the police, the petitioner is shown to have run away from the spot.

Learned State counsel could not dispute the factual position and submits that 72 bottles of liquor were recovered from the petitioner and he is not involved in any other case.”

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

After hearing the counsel for the parties, considering the fact that the petitioner is not involved in any other case; the name of the petitioner surfaced in the secret information; his co-accused has already been granted the concession of anticipatory bail, this petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He 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; and

3. He shall not leave India without previous permission of the Court.

(ARVIND SINGH SANGWAN)
JUDGE

24.11.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No