

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

(1) **CRM-M-5395-2022 (O&M)**

Jatinderpal Singh Grewal @ Gobind and another ... Petitioners

Versus

State of Punjab ... Respondent

(2) **CRM-M-6640-2022 (O&M)**

Balkar Singh ... Petitioners

Versus

State of Punjab ... Respondent

Date of Decision:- 29.7.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manish Verma, Advocate for the petitioners
in CRM-M-5395-2022.

Mr. Arihant Jain, Advocate for the petitioner
in CRM-M-6640-2022.

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Jorawar.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose off the above mentioned two petitions filed on behalf of Jatinderpal Singh Grewal @ Gobind, Bhagwant Singh @ Happy and Balkar Singh seeking grant of anticipatory bail in respect of a case registered against them vide FIR No. 22 dated 24.1.2022 under Section 61 of the Punjab Excise Act, 1914 at Police Station Sidhwan, District Ludhiana (Rural) Punjab.

2. At the time of issuance of notice of motion on 9.2.2022, the following order was passed in CRM-M-5395-2022 :

“The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0022 dated 24.1.2022, Police Station Sidhwan Bet, District Ludhiana (Rural), Punjab under Section 61 of Punjab Excise Act, 1914.

The FIR in question was lodged on the basis of secret information received by the police to the effect that Balkar Singh, Jatinder Pal Singh and Bhagwant Singh @ Happy were indulging into smuggling alcohol in connivance with each other and that they had dumped huge quantity of alcohol by smuggling the same into the State of Punjab from other States at the Tile Factory of Balkar Singh situated within the area of Village Salempur. It is further the case of prosecution that pursuant to receipt of said information, a raid was conducted at the nominated place i.e. tile factory from where 1050 boxes of liquor were recovered.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case due to political rivalry and that, in any case, neither the petitioners were arrested or found at the spot nor the recovery was effected from any premises owned by them. It has been submitted that the petitioners, till date, are not involved in any other case much less a case under Excise Act.

Learned counsel has further submitted that the petitioners, in any case, are willing to undertake that they shall remain away from Ludhiana till the morning of 20.2.2022 on which date they have to exercise their right to vote, as Assembly elections are to be held on said day.

Notice of motion for 29.7.2022.

Meanwhile, keeping in view the contention made by learned counsel for the petitioners to the effect that it is a case of false implication on account of political rivalry and that the petitioners are willing to keep away from Ludhiana till the morning of 20.2.2022, it is ordered that the petitioners, in the event of arrest, be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

In case the petitioners are already out of District Ludhiana, they shall keep away from Ludhiana. However, in case they are presently in Ludhiana they shall leave Ludhiana today itself by evening.”

3. Similarly, vide order dated 17.2.2022 passed in CRM-M-6640-2022, the petitioner Balkar Singh had been granted interim bail in same terms as had been passed in CRM-M-5395-2022.
4. Learned State counsel, upon instructions from ASI Jorawar, has informed that pursuant to interim directions issued by this Court the petitioners have since joined investigation and are not required for any custodial interrogation and that they are not involved in any other case.
5. Having heard the learned counsel for the parties and bearing in mind the facts and circumstances of the case and also that the petitioners have already joined investigation and are not required for any custodial interrogation, the petitions are accepted and the interim directions issued by this Court vide order dated 9.2.2022 and 17.2.2022 are hereby made absolute, subject to the condition that the petitioners shall continue to 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.
6. A photocopy of this order be placed on the file of connected case.

29.7.2022

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**(Gurvinder Singh Gill)
Judge**Whether speaking /reasoned
Whether ReportableYes / No
Yes / No