

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

CRM-M-7687-2022 (O&M)
Date of Decision:-29.7.2022

Karamvir Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Angrej Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.12 dated 31.1.2022, Police Station Shambhu, District Patiala, under Sections 61, 1, 78(2) of Punjab Excise Act, 1914.
2. At the time of issuance of notice of motion, the following order was passed on 23.2.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.12 dated 31.1.2022, Police Station Shambhu, District Patiala under Sections 61, 1, 78(2) of Punjab Excise Act, 1914.

The allegations, in nutshell, as levelled in the FIR are to the effect that on 31.1.2022, during the course of checking, the police party

intercepted a Bolero vehicle bearing registration No.PB-29X-0539, which was being driven by one Gurmeet Singh and in which Jagroop was sitting on the front passenger seat. A search of the vehicle led to recovery of 1500 bottles of liquor meant to be sold in U.T., Chandigarh. The aforesaid persons could not produce any license or permit to justify possession of 1500 bottles of liquor. It is further the case of prosecution that on 2.2.2022 Gurmeet Singh made a disclosure statement to the effect that the aforesaid liquor had been procured through Karamvir Singh (petitioner).

Learned counsel submits that no recovery whatsoever was ever effected from the petitioner and infact he was never ever found near the place of occurrence. It has been submitted that the petitioner has been nominated on the basis of a disclosure statement, which would hardly carry any evidentiary value.

Notice of motion for 29.7.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner 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.”

3. Learned State counsel, upon instructions from ASI Angrej Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and he is not stated to be involved in any other case, the petition is accepted

and the interim directions issued by this Court vide order dated 23.2.2022 are hereby made absolute, subject to the condition that the petitioner shall 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.

29.7.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No