

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

**CRM-M-8857-2022
Date of decision: 03.03.2022**

Jagga Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. J. K. Singla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 321 dated 25.11.2021, registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Sadar Mansa, District Mansa.

Learned counsel for the petitioner submits that the petitioner is not involved in any other such or similar case. It is further submitted that the FIR was registered on the basis of a secret information that the petitioner is indulged in distilling illicit liquor and has stored the same in his house.

Learned counsel further submits that in fact the police has prior information about the storage of the *Lahan*/illicit liquor, however, the raid was conducted at a time when the petitioner was not present at the spot, which raises a suspicion about the involvement of the petitioner in the present case.

Learned counsel for the petitioner further submits that the petitioner is a first offender and he is ready to join investigation.

Learned State counsel could not dispute the factual position, however, opposed the bail.

Though this Court has repeatedly issued directions to the senior police officers in the State of Punjab that when an information is received regarding distilling or storage of illicit liquor at any place, the necessary raid should be conducted after verifying the fact that the accused person is present at the said place, however, the directions are being violated repeatedly.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the aforesaid facts and circumstances of the case, the present petition is allowed. The petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

03.03.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No