

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

CRM-M-50262-2021 (O&M)
Date of Decision:-7.4.2022

Manjit Kaur @ Goma	Versus	... Petitioner
State of Punjab		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gopal Singh Nahel, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab,
assisted by ASI Gurbhajan 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.221 dated 11.10.2021, Police Station City Sunam, District Sangrur under Sections 61, 1, 14 of Punjab Excise Act, 1914.
2. At the time of issuance of notice of motion on 2.12.2021, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.221 dated 11.10.2021 at Police Station City Sunam, District Sangrur under Sections 61/1/14 of Punjab Excise Act, 1914.

As per the case of prosecution, the police had received a secret information on 11.10.2021 to the effect that the petitioner frequently brings liquor from Haryana at cheap rates and sell the same at Sunam at higher rates. It is further the case of prosecution that pursuant to receipt of said information, a raid was conducted at the residence of the petitioner and 384 bottles of country made liquor were recovered, though the petitioner is alleged to have run away from the spot.

Learned counsel for the petitioner submits that the petitioner is a lady aged about 38 years and it is highly unlikely that she would have escaped despite the fact that police had prior secret information.

Notice of motion for **7.4.2022**.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her 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 Gurbhajan Singh, has informed that pursuant to interim directions, although the petitioner has joined investigation and is not required for any custodial interrogation, but the petitioner stands involved in three other cases under NDPS Act and two cases under Excise Act.
4. Learned counsel representing the petitioner has, however, referred to para No.15 of his petition, wherein he has mentioned the details of three cases under NDPS Act and has categorically stated therein that the petitioner was involved in the said cases on the basis of secret information. Learned counsel submits that the petitioner is falsely being involved in cases one after another

and that all the said cases have been registered at the same police station and that, in any case, the petitioner has already been granted bail in the said cases including anticipatory bail.

5. Having considered rival submissions addressed before this Court and while noticing that the petitioner was not apprehended at the spot and has otherwise joined investigation and is not stated to be required for any custodial interrogation, the petition is accepted, and the interim directions issued by this Court vide order dated 2.12.2021 are hereby made absolute, subject to the condition that the petitioners 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.

7.4.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No