

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

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CRM-M-10316-2023
Date of Decision : 28.02.2023

Gurnam SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Vaibhav Narang, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.233 dated 23.07.2022 registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Civil Lines, District Police Commissionerate Amritsar.

Learned counsel for the petitioner contends that earlier the police has accepted the bail bonds/surety bonds of the petitioner in police station by stating that the offence is bailable and there is no need of applying for bail before the Court. The petitioner has furnished the bail bonds to the satisfaction of the police and cooperated with the police accordingly. Thereafter, when the challan has been prepared and presented against the petitioner before the trial Court on 23.11.2022, the petitioner came to know that the offence is non-bailable and there is likelihood that petitioner may be arrested and sent to judicial custody in case he appears before the trial Court. Nothing is to be recovered from

the petitioner and he has already joined the investigation. The petitioner is ready and willing to appear before the trial Court and custodial interrogation is not required.

Notice of motion.

On the asking of the Court, Mr. Jaspal Singh Guru, Asstt. A.G., Punjab, who is present in the Court, has accepted notice on behalf of the respondent-State and has opposed the present petition on the ground that the petitioner has committed a serious offence and 120 bottles of liquor were recovered from the car driven by the petitioner.

I have heard learned counsel for the petitioner as well as learned State counsel and perused the paperbook.

Without commenting on the merits of the case, petitioner is directed to appear before the trial Court within 15 days and on his appearance before the trial Court, he shall be released on bail, subject to his furnishing the bail bonds and surety bonds to the satisfaction of the trial Court and in case of failure to do so, the present petition shall be deemed to have been dismissed.

Disposed of.

28.02.2023
Kothiyal

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No