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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30745-2024

Date of Decision:- 23.07.2024

Tara Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

The petitioner – Tara Singh has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 46 dated 15.05.2024, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

2. As per the facts of case, police party headed by Sub Inspector was on routine patrol duty. The Investigating Officer received secret information from reliable source that two persons coming on Platina motorcycle from the side of Ramdas towards Jhangi Panwan, are carrying plastic can containing illicit liquor. Naka was organized. One motorcycle came on which two persons were riding. On seeing police party, they

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managed to escape from there, leaving their motorcycle and one plastic can on the spot. Said plastic can was containing illicit liquor which came out to be 45 bottles.

3. Learned counsel for petitioner argued that petitioner is not required for any purpose. Allegations are false. It is not possible to escape in the presence of police party. He is ready to join the investigation. Therefore, his anticipatory bail petition may be allowed.

4. Status report is filed by respondent-State, which is taken on record, subject to just exceptions.

5. As per status report, motorcycle bearing Registration No. PB-02-DX-2602 was taken into police possession. As per verification from RTO office, Amritsar, it is in the name of Tara Singh. There are specific serious allegations. Therefore, considering the recovery, he is not entitled to be released on anticipatory bail.

6. I have considered the arguments. As per status report, aforesaid motorcycle and plastic can allegedly containing 45 bottles of illicit liquor have been recovered. No other recovery is to be effected. Present petitioner is ready to join the investigation. Therefore, anticipatory bail petition filed by petitioner – Tara Singh is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/ Investigating Officer concerned, subject to condition that petitioner will join the investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) Cr.P.C.



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- 7. Petition is accordingly disposed of.
- 8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.07.2024
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(AMARJOT BHATTI)
JUDGE

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