

IN THE COURT OF DR RAM KUMAR SINGLA

UID NO. PB-0122

ADDITIONAL SESSIONS JUDGE

GURDASPUR

Bail Application No. 297 of 2018

Date of Institution:13.07.2018

CIS No. BA/1819/2018

CNR No. PBGD01-004778-2018

Date of Decision : 19.07.2018

Gurdev Singh son of Gurmit Singh resident of Mohalla Ram Bagg, Bouli
Inderjit Singh, Tehsil Batala, District Gurdaspur.

.....Accused/ Applicant.

Versus

State of Punjab.

.....Respondent.

FIR No. 159 dated 23.10.2015

U/S 61 of Punjab Excise Act,1914

Police Station: Civil Lines Batala.

First Application for Bail under section 438 of Cr.P.C.

Present: Sh. Naginder Singh Bedi, Advocate, for applicant/ accused.

Sh. Vikram Kashyap, Addl. Public Prosecutor for the State.

ORDER

Police record has been received. Arguments have been heard
on anticipatory bail of above referred applicant in the aforesaid FIR No.

159/23.10.2015 having the allegations that on 23.10.2015 at about 7.30 P.M., in the area of drain bridge Jharianwali, the recovery of 70 bottles of Alcohol (69 bottles of 750/750 Mls each and one bottle of 570 Mls) concerning the accused/applicant Gurdev Singh was effected by the police party headed by SI Parkash Singh No. 1568/BTL, but the accused/applicant Gurdev Singh was succeeded to run away from the spot. Report of chemical examiner has been received, but the challan is yet to be presented in the court. In this regard statement of HC Samual Masih No.1987/BTL, P.S. Civil Lines Batala has also been recorded in the court today.

2. Now to the aforesaid allegations, formal presence of the accused/ applicant is required to culminate the investigation proceedings concerning that alleged recovery which has already been effected and that too about two years and seven months ago, so that does not warrant his custodial interrogation in any manner. Thus, without commenting on the merits of the case, the present applicant is deserving the concession of exceptional circumstances i.e. anticipatory bail.

3. Hence, the present applicant is hereby directed to surrender before the Investigating Officer/Arresting Officer within **one week** and on her surrender he will be admitted to bail on furnishing the bail bonds and surety bonds by that officer to his satisfaction and subject to the compliance of necessary provisions of section 438 (2) of Code of Criminal Procedure. Failing to that his present bail application shall stand automatically dismissed. Police record be returned to the concerned

quarter. File be consigned to the record room.

Pronounced in open Court.

Dated:19.07.2018.

**(Dr Ram Kumar Singla),
UID No. PB-0122,
Additional Sessions Judge,
Gurdaspur.**

Shiv Kumar Stenographer-I