

IN THE COURT OF DR RAM KUMAR SINGLA

UID NO. PB-0122

ADDITIONAL SESSIONS JUDGE

GURDASPUR

Bail Application No. 278 of 2018

Date of Institution:05.07.2018

CIS No. BA/1727/2018

CNR No. PBGD01-004459-2018

Date of Decision : 12.07.2018

Sunny @ Sunil Sharma son of Sohan Lal, resident of Guru Nanak Nagar
Batala, Tehsil Batala, District Gurdaspur.**Accused/Applicant.**

Versus

State of Punjab.**Respondent.**

FIR No.208 dated 28.12.2015

U/S 61 of Punjab Excise Act,1914

Police Station: Civil Line Batala.

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

Present: Sh. Vinod Basa 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. 208/ 28.12.2015 having the allegations that on 28.12.2015 at about 7.00 P.M., in the area of Dheer Mour Batala, P.S. Civil Lines Batala, the recovery of 9 boxes containing 12 bottles each of 750/750 Mls make Red

Night country made liquor, 6 boxes containing 12 bottles each of 750/750 Mls country made liquor make blender pride, 02 boxes of country made liquor containing 12 bottles each 750/750 Mls make Royal Challenge, 04 boxes containing 12 bottles each of country made liquor make Imperial Blue, 14 boxes containing 12 bottles each of country made liquor make Cash, 04 boxes containing 12 bottles of country made liquor make Everyday Gold to the amount of total 39 boxes containing 12 bottles each of country made liquor of different companies concerning the accused/ applicant Sunny @ Sunil Sharma were recovered from his rented factory by the police party headed by SI Parkash Singh of P.S. Civil Lines Batala, but the accused/applicant Sunny @ Sunil Sharma was succeeded to run away from the spot. Report of Chemical Examiner has not been received till date. Challan is yet to be presented in the court. In this regard statement of ASI Hardip Singh No.1965/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 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 **two weeks** 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:12.07.2018.

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

Shiv Kumar Stenographer-I