

Present:- Sh.Narinder Kumar, Adv counsel for applicant/accused
heard through VC

Sh. Vickram Kashyap Addl. PP for the State.

1. File put up before me in view of order dated 30.3.2020 bearing NO.2/SPL/RG/Misc. of Hon'ble Punjab and Haryana High Court and order of Id. District and Sessions Judge, Gurdaspur, bearing Endst. No.9751-56/P2C dated 8.7.2020
2. Present bail application has already been registered.
3. Present bail application has been filed under Section 438 Cr. P.C on behalf of applicant/accused Amarjit alias Manju for grant of anticipatory bail in case FIR No.96 dated 10.6.2020 under Section 61/1/14 of Punjab Excise Act P.S. Kalanaur
4. Allegations are that 20 bottles of illicit liquor were recovered from applicant/accused from his house.
5. Upon notice, Sh Vickram Kashyap Ld. Addl.P.P has appeared on behalf of the State.
6. Record has been produced.
7. Arguments heard.
8. Contention of Sh. Narinder Kumar Adv, counsel for the applicant/accused is that applicant/accused has been falsely implicated in this case. Applicant/accused has not been convicted in any earlier case. There is no evidence to connect the accused with the recovered material. Recovery has already been effected. Accused/applicant was not apprehended at the spot. Identity of applicant/accused is seriously in dispute. Applicant/accused is ready to join investigation and co operate with the Investigating Agency. Prayer is accordingly made to grant anticipatory bail to applicants/accused.
9. On the other hand, these submissions have been refuted by Sh. Vickram Kashyap Id. Addl. PP for the State His contention is that Accused/applicant is habitual in the business of liquor. So no case is made out for grant of anticipatory bail.

10. Submissions have been considered.
11. After considering facts and circumstances of the case, this court considers that effective investigation can be carried out without custodial interrogation of applicants/accused. Nothing previous has been produced against the accused to show that she is habitual offender.
12. Hence, application moved by applicant/accused stands allowed and it is ordered that applicant/accused in the present case will join the investigation within 10 days from today and will fully cooperate and assist the Investigating Agency. On his doing so, in the event of arrest of applicant/accused, he will be released on bail to the satisfaction of I.O/Arresting Officer subject to the following condition:-

He/She shall make herself/himself available for interrogation by a police officer as and when required.

- He/she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- and
- He/she shall not leave India without previous permission of the Court .

13. In case, accused-applicant fail to comply with the order of the Court as ordered above, then anticipatory bail application moved by accused-applicant will be deemed to be dismissed.

14. It is made clear that I.O of the present case will make every effort to join the applicants/accused in the investigation by taking the condition of applicant/accused into consideration that she/he will be unable to appear in the Police Station due to problem of Covid-19 (Corona-virus), going on in these days.

15. Record be returned immediately.

16 File be consigned to the record room.

	(K.K.Singla)
Dated:9.7.2020	Additional Sessions Judge,
Prem Kumar	Gurdaspur.
Stenographer-II	UID No. PB 0197