

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-10046-2015

Date of decision: 28.07.2015

Rinku

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Dhawaljit Singh, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Gurveer Sidhu, AAG, Punjab.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in FIR No. 72 dated 22.04.2014 registered under Sections 61 of the Punjab Excise Act, 1914 at Police Station Dina Nagar, District Gurdaspur.

When this case was listed on 30.03.2015, following order was passed:-

“Learned petitioner's counsel inter alia contends that recovery has already been made from the vehicle and as per the version of prosecution, the name of the petitioner was disclosed by the co-accused. It is further contended that this is not the version of the prosecution that any police official

stated that he knew the petitioner already.

Notice of motion for 28.07.2015.

In the meanwhile, the petitioner would surrender before the Arresting/Investigating Officer within one week and on doing so, he shall be released on bail by the Arresting/Investigating Officer on obtaining bail bonds to his satisfaction. The petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C”

On instructions from HC Victor Masih, learned State counsel submits that the petitioner has joined the investigation on 05.04.2015, in deference to the order dated 30.03.2015 and he is no more required for further interrogation as the recovery has already been made. It is further submitted that out of the three accused persons, two were arrested at the spot.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioners vide order dated 30.03.2015 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

July 28, 2015
rishu

(R.P. NAGRATH)
JUDGE