

**207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.28257 of 2016 (O&M)

Date of Decision : 29.09.2016

Harminder Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. J.S.Sandhu, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

AJAY TEWARI, J. (Oral)

On 16.08.2016 the following order was passed:-

“This is a petition for grant of pre-arrest bail to the petitioners under Section 438 Cr.P.C. in case FIR No.50 dated 23.07.2016 registered under Section 61 of Punjab Excise Act, 1914 at Police Station Sadar Rampura, Bathinda, District Bathinda, Punjab.

Learned counsel states that in this case the petitioners were not arrested from the spot and it is not even clear as to how much recovery of alcohol was made.

Notice of motion.

On the asking of the Court, Ms. Amarjit Kaur Khurana, Addl. AG, Punjab accepts notice on behalf of the respondent-State.

Learned counsel for the petitioners undertakes to supply a copy of the petition to the learned Addl. Advocate General, Punjab during the course of the day.

Adjourned to 29.09.2016.

In the event of arrest, the petitioners shall be released on interim bail by the Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned Additional Advocate General, on instructions from ASI Kaur Singh accepts the fact that the petitioners have joined the investigation and are no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioners.

Resultantly, the petition is allowed. The interim order dated 16.08.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

29.09.2016
pooja sharma-I

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No