

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

CRM-M-30257-2016 (O&M)

Date of decision : 26.10.2016

Balkar Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Navdeep Monga, Advocate for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab,
assisted by HC Sukh Pal.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in case FIR No.58 dated 01.08.2016, registered under Section 61 of the Excise Act, at P.S. Jaurkian, Distt. Mansa.

Heard.

On 30.08.2016, the following order was passed:-

“Learned counsel contends that the petitioners were not arrested from the spot and there is no evidence that police gave any chase to the petitioners. No person from the locality had joined the investigation. House of the petitioners is located in thickly populated area and no independent witness was joined. The recovery has falsely been planted in the present petition.

Notice of motion for 26.10.2016.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:-

1. That they shall make himself available for interrogation by a police officer as and when required;

2. That they 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;

3. That they shall not leave India without prior permission of the Court.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 30.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

26.10.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No