

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

CRM-M-30530-2016 (O&M)

Date of decision : 24.10.2016

Rashpal Singh @ Shalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Tarundeep Kumar, Advocate,
for Mr. D.S. Pheruman, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Mukhtiar Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.138 dated 01.08.2016, registered under Section 61 of the Excise Act, at Police Station City Tarn Taran.

Heard.

On 31.08.2016, the following order was passed:-

“It is contended that the petitioner has been falsely implicated on the disclosure statement of the co-accused, who was arrested from the spot. The petitioner was not arrested from the spot and is not involved in any other FIR.

Notice of motion.

At this stage, Ms. Harsimrat Rai, DAG, Punjab accepts notice on behalf of respondent-State. A complete set of paperbook has been handed over to her in the Court.

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

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

2. That he 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 he shall not leave India without previous permission of the Court.

Post again on 24.10.2016.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is 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 31.08.2016, 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.

24.10.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No