

CRM-M-36025-2016

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

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Date of Decision: 18.11.2016

Gagan Kumar alias Goga

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sumeet Singh, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J.

Petitioner, Gagan Kumar alias Goga has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.09 dated 16.02.2016, registered at Police Station Sadar Pathankot, District Pathankot, under Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the petitioner has already joined the investigation. He is now not required for custodial interrogation. Recovery

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has already been effected. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 06.10.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

18.11.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No