

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

CRM-M -38864 of 2016 (O&M)
Date of decision: 22.12.2016

Rajvir Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Bhalla, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.
assisted by HC Jaswinder Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.190 dated 24.09.2016, registered under Section 61 of Excise Act, at Police Station City South Moga.

On 27.10.2016, this Court had passed the following order:-

“Contends that no recovery is effected from the conscious possession of the petitioner.

Notice of motion.

At this stage, Mr. Luvinder Sofat, AAG, Punjab accepts notice on behalf of the respondent-State. A complete set of paperbook has been handed over to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner(s)

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 22.12.2016.”

It is contended that in pursuance of the order dated 27.10.2016, the petitioner has joined the investigation

The learned State counsel, on instructions submits that 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 27.10.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

22.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No