

Sr. No.207

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4496 of 2016 (O&M)
Date of Decision: 04.05.2016

Balkar Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks concession of pre-arrest bail in case FIR No.87 dated 04.12.2015, under Sections 61/1/14 of the Excise Act, registered at Police Station Bariwala, District Muktsar (Sri Muktsar Sahib).

While issuing notice of motion, the following order was passed by this Court on 08.02.2016:-

“Counsel would inter alia contend that vide order dated 2.1.2016, passed by the learned Additional Sessions Judge, Sri Muktsar Sahib interim bail had been granted to the petitioner but on account of a miscommunication petitioner could not join investigation. It is contended that on this ground alone the anticipatory bail application has been dismissed vide order dated 12.1.2016. Counsel submits that the petitioner would join investigation and would duly appear before the I.O within

a period of four days from today.

Notice of motion, returnable for 4.5.2016.

In the meanwhile, petitioner is directed to join investigation.

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

Learned State counsel upon instructions from HC Gurmail Singh apprises the Court that the petitioner has since joined investigation and duly appeared before the Investigating Officer on 09.02.2016.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 08.02.2016, passed by this Court, is made absolute.

Disposed of.

04.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**