

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-31281 of 2016
Date of Decision : 12.01.2017

Jasvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Davinder Kumar, Advocate for
Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. C.S. Brar, Deputy Advocate General, Punjab.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking anticipatory bail in FIR No. 43, dated 17.07.2016, under Section 61(1)(a) of the Punjab Excise Act, 1914 registered at Police Station Joga, District Mansa.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he was selling country made liquor at lower rate in his house after purchasing the same from outside. A co-ordinate Bench of this Court vide order dated 05.09.2016 had passed the following order :-

“Learned counsel for the petitioner states that the allegation against the petitioner that he has brought the country made liquor from outside and sold it on cheap rates is wrong. The recovery shown by the prosecution as heavy recovery has also not been detailed.

Notice of motion for 28.11.2016.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Mewa Singh of Police Station Joga states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the above, the order dated 05.09.2016, whereby ad-interim bail was granted to the petitioner, is made absolute. However, the petitioner shall continue to join the investigation as and when required to do so and abide by the conditions stipulated in Section 438(2) Cr.P.C.

January 12, 2017.

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**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned? Yes

Whether reportable? No