

**CRM-M-32429-2017 and
CRM-M-32451-2017**

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

Date of Decision:07.10.2017

1. CRM-M-32429-2017

Lakhwinder Singh alias Lekhu

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-32451-2017

Raj Singh alias Raju

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasdeep S. Bhullar, Advocate,
for the petitioners in both the petitions.

Mr. K.S.Aulakh, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

This order shall dispose of CRM-M-32429-2017, filed by
petitioner-Lakhwinder Singh alias Lekhu and CRM-M-32451-2017, filed by
petitioner-Raj Singh alias Raju, under Section 438 of the Code of Criminal

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Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.77 dated 12.06.2017, registered at Police Station Kabarwala, District Sri Muktsar Sahib, under Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in both these petitions. Learned State counsel has put in appearance on behalf of the respondent-State and contested these petitions.

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

From the record, I find that FIR, in the present case, has been registered on the basis of secret information. As per the case of prosecution, 600 litre illicit liquor is stated to have been recovered. However, the present petitioners were not apprehended at the spot.

In pursuance of the interim orders dated 01.09.2017 passed in CRM-M-32429-2017 and dated 05.09.2017 passed in CRM-M-32451-2017 by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Recovery has already been effected in the present case. Therefore, no useful purpose will be served by sending the petitioners 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 the petitions and the same are allowed. The orders dated 01.09.2017 passed in CRM-M-32429-2017 and dated 05.09.2017 passed in CRM-M-32451-2017, granting

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interim bail to the petitioners, are made absolute. However, the petitioners 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.

07.10.2017
parveen kumar

**(INDERJIT SINGH)
JUDGE**

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