

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

**1. Crl. Misc. No.M-34135 of 2017(O&M)
 Date of Decision: November 21, 2017**

Gurnam Singh @ Sukha and others

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

2. Crl. Misc. No.M-37696 of 2017O&M)

Khajal @ Khegal Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Prateek Pandit, Advocate
 for the petitioners in both the petitions.

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Both the petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 103 dated 18.05.2017 registered for the offence punishable under Section 61 of Excise Act at Police Station Kotwali, District Kapurthala.

Heard.

Learned State counsel on instructions from ASI Lakhwinder

Singh submits that petitioners have joined the investigation which is still in

progress but their custodial interrogation is not required for the purpose of further investigation.

Keeping in view the above but without expressing any opinion on the merits of the case, both these petitions are allowed and the order dated 14.09.2017 passed in CRM-M-34135-2017 and order dated 09.10.2017 passed in CRM-M-37696-2017 are made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

November 21, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether Reportable: **Yes/No**