

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

CRM-M -3636 of 2017 (O&M)

Date of decision: 03.03.2017

Sonu and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rakesh Sobti, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.239 dated 10.12.2016, registered under Section 61 of Punjab Excise Act, 1914, at Police Station Gate Hakima, Amritsar City.

On 03.02.2017, this Court had passed the following order:-

“Learned counsel for the petitioner submits that though the FIR is shown to be registered on 10.12.2016 for the alleged commission of an offence punishable under Sections 61/1/14 of the Punjab Excise Act, 1914, an identically placed co-accused has already been granted interim bail by a coordinate Bench in CRM No.M-1631 of 2017, a copy of which has been produced in Court today.

Notice of motion, returnable on 3.3.2017.

In the meanwhile, on the petitioners' joining investigation, in case they are sought to be arrested, they would be released on bail, on their furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate. They shall, further, abide by all the conditions stipulated in Section 438(2), Cr.P.C.

To be heard along with CRM No.M-1631 of 2017.”

It is contended that in pursuance of the order dated 03.02.2017, the petitioners have joined the investigation.

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are 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 03.02.2017, 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.

03.03.2017

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(JITENDRA CHAUHAN)
JUDGE

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