

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

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**CRM-M-38620-2017
DATE OF DECISION: 01.12.2017**

KALA SINGH @ KALI AND ORS.

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. P.K Bansal, Advocate
for the petitioner.

Mr. Sandeep Vermani, Addl.A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.5 dated 09.01.2017, under Section 61 of Punjab Excise Act, registered at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioners contends that the allegations in the FIR are that 1.2 lac litres of lahan was recovered from an open field near the river Satluj in tarpulines. He also contends that it is not possible that such a large quantity of lahan could be recovered from an open field as only 15-20 tarpuline sheets were allegedly found in the pit. He states that the recovery is, therefore, doubtful.

This Court, by the order dated 12.10.2017, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were to be released on ad-interim bail to the satisfaction of the

Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C. However, petition qua petitioner No.1 was rendered infructuous on 03.11.2017 as he was arrested in another case.

Learned State counsel, upon instructions from HC Balbir Singh, states that petitioners No.2 to 4 have joined the investigation and are not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioners and keeping in view the fact that the petitioners No.2 to 4 have joined investigation, the order dated 12.10.2017 granting interim bail to the petitioners No.2 to 4 is made absolute.

However, the petitioners No.2 to 4 shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

01.12.2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

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