

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

**Criminal Misc. No. M-21765-2018
Date of Decision: 17.07.2018**

Jagtar Singh
Vs.

.. Petitioner

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. T. S. Salana, Advocate for the petitioner.
Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner-Jagtar Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.44 dated 30.04.2018, registered at Police Station Amloh, District Fatehgarh Sahib, under Sections 61/1/14 of the Punjab Excise Act.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

The police party received the secret information against the present petitioner that he used to take liquor from Chandigarh on lower prices and used to sell from his house on higher prices. On the basis of this information, FIR was registered. He could not be apprehended from the spot.

In pursuance of the interim order dated 21.05.2018, passed by this Court, the petitioner has already joined the investigation. Recovery has already been effected. He is not required for custodial interrogation. No

useful purpose would be served by sending the petitioner 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 this petition and the same is allowed. The order dated 21.05.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

17.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No