

Sr. No.206
**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-368 of 2018 (O&M)

Date of Decision: 12.03.2018

Ramesh Singh @ Mesha @ Harmesh Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vivek Goel, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.14 dated 22.01.2017, under Section 61/1/14 of the Punjab Excise Act, registered at Police Station Dharamkot, District Moga.

While issuing notice of motion, the following order was passed by this Court on 10.01.2018:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.14 dated 22.01.2017 under Section 61/1/14 of the Punjab Excise Act, registered at Police Station Dharamkot, District Moga.

As per prosecution version, an alleged recovery of 25 bottles of illicit liquor was effected.

Counsel representing the petitioner would contend that even though in the order dated 18.12.2017 passed by the learned Additional Sessions Judge, Moga declining anticipatory bail, it has been observed that the petitioner is habitual in distilling illicit liquor but there are no other FIRs registered against the petitioner.

Notice of motion, returnable for 19.01.2018.

On the asking of the Court, Mr. S.S.Sandhu, AAG, Punjab accepts notice on behalf of the State. A complete copy of the case paper book has been furnished to State counsel and who would complete instructions in the matter by the adjourned date.

Arrest of the petitioner is stayed till the next date of hearing."

On 19.01.2018, the following order was passed by this

Court:-

"Learned State counsel upon instructions from HC Jarnail Singh apprises the Court that the petitioner is not involved in any other criminal proceedings.

List on 12.3.2018.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the

***conditions as envisaged under Section 438(2)
Cr.P.C.”***

Learned State counsel upon instructions from HC Jarnail Singh, Police Station Dharamkot, District Moga apprises the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of the categoric stand taken on behalf of the State, prayer is allowed.

Order dated 19.01.2018, passed by this Court is made absolute.

Disposed of.

12.03.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No