

In the High Court of Punjab and Haryana at Chandigarh

.....

(1) Criminal Misc. No.M-42252 of 2018

.....

Date of decision:10.12.2018

Devinder Singh alias Mani

.....Petitioner

v.

State of Punjab

.....Respondent

.....

(2) Criminal Misc. No.M-44799 of 2018

.....

Kuldeep Singh

.....Petitioner

v.

State of Punjab

.....Respondent

.....

Present: Mr. L.S. Sekhon, Advocate for the petitioners.

Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.131 dated 17.8.2018 registered for the offences under Sections 307 IPC; Section 25 of the Arms Act, 1959 and Section 61 of the Punjab Excise Act, 1914 at Police Station Sadar Dhuri, District Sangrur.

Notice of motion has been issued in these cases.

Mr. Pawan Sharda, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested these petitions.

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

From the record, I find that as per the FIR both the petitioners ran away from the spot and 20 boxes of liquor were recovered from the car.

Keeping in view the facts and circumstances of the present case, I find that the recovery has already effected. Nothing is to be recovered from the petitioners. No useful purpose will be served by sending the petitioners to custody.

Therefore, without discussing the facts in minute detail and without expressing any opinion on the merits of the cases, I find merit in these petitions and the same are allowed. The interim order dated 25.9.2018 passed in criminal Misc. No.M-42252 of 2018 passed by this Court granting interim bail to the petitioner-Devinder Singh alias Mani is made absolute. However, petitioner-Devinder Singh alias Mani 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.

As regards petitioner-Kuldeep Singh in Criminal Misc. No.M-44799 of 2018, I accept this criminal miscellaneous petition and in the event of arrest, he shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. 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. The criminal miscellaneous petition stands disposed of.

December 10, 2018. **(Inderjit Singh)**
Judge

hsp

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