

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 28.11.2018

1. CRM-M-49096-2018

Sikander Singh @ Ritha

.. Petitioner

Vs.

State of Punjab

..Respondent

2. CRM-M-50213-2018

Baljinder Singh

.. Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Garg, Advocate for the petitioner(s).

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.(Oral)

This order shall dispose of CRM-M-49096-2018, filed by petitioner-Sikander Singh @ Ritha and CRM-M-50213-2018, filed by petitioner-Baljinder Singh, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.220 dated 14.10.2018, registered at Police Station Sangat, District Bathinda under Section 61 of the Excise Act, 1914.

Notice of motion was issued in both these petitions.

Learned State counsel put in appearance on behalf of respondent-State and contested these petitions.

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

As per the prosecution version, 360 bottles of licit liquor Haryana made have been recovered from the house of petitioner-Baljinder Singh and Lakhvir Kaur, which have been supplied by petitioner-Sikander Singh @ Ritha. It is the case of prosecution that Baljinder Singh had fled away from the spot.

In pursuance of the interim orders dated 02.11.2018 and 16.11.2018 passed in CRM-M-49096-2018 and CRM-M-50213-2018 respectively by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending them 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 both these petitions and the same are allowed. The orders dated 02.11.2018 and 16.11.2018 granting interim bail to the petitioners, are made absolute. However, the petitioners 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.

28.11.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No