

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-556-2019 (O&M)

Date of Decision:-2.4.2019

Barinder Singh @ Bittu Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Ms. Rashmi Atttri, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0223 dated 20.11.2018 at Police Station City Sunam, District Sangrur, under Section 61 of Excise Act, 1914.

The FIR was lodged in pursuance of receipt of a secret information to the effect that one Bittu Singh, who is into business of country made liquor is proceeding in his car from Jakhal to Chhajali, Sunam and that in case Nakabandi is held, he could be nabbed alongwith country made liquor. It is further the case of the prosecution that pursuant

to said secret information, barricading was held and a car bearing registration No.PB-11-AC-0818 was apprehended. The petitioner, however, managed to run away while leaving his car at the spot. A search of the car yielded recovery of 168 bottles of country made liquor.

Notice of motion had been issued in this case. While ordering for release of the petitioner on interim bail, he had been directed to join investigation.

The learned State counsel, upon instructions from HC Gurtej Singh, has informed that the petitioner has joined the investigation.

Having regard to the facts and circumstances of the case especially that the petitioner was not arrested at the spot and has already joined investigation, in my opinion, it is not a case warranting custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 10.1.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

2.4.2019

rakesh

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No