

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

**CRM-M No.622 of 2019 (O&M)
Date of Decision: 13.02.2019**

Balkar Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vikrampreet Singh, Advocate for the petitioners.

Mr. C.L.Pawar, Senior Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.226 dated 30.11.2018, under Sections 61, 78 of the Punjab Excise Act, 1914, registered at Police Station Sardulgarh, District Mansa.

This Court, while issuing notice of motion on 10.01.2019, passed the following order:-

“ Contends that recovery of alleged contraband i.e 600 bottles of country made liquor of Haryana has already been effected.

Notice of motion for 13.02.2019.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Today, learned Counsel for the petitioners submits that both the petitioners have joined the investigation in terms of aforesaid order and their custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Avtar Singh.

In view of above, interim order dated 10.01.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of opinion on the merits of the case.

February 13, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>