

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

**CRM-M No. 689 of 2019
Date of Decision:-25.03.2019**

Devinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 123 dated 13.12.2018, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Mehna, District Moga.

As per FIR, the case was registered on the basis of an information that petitioner and his father Ravi Dass are indulging in the illegal business of selling liquor by bringing it from the outer States. When the raid was conducted, 72 bottles of illicit liquor were recovered from the house of petitioner in the presence of his father Ravi Dass, who was arrested on the spot. Ravi Dass disclosed in his statement that he alongwith

his son i.e. petitioner herein are indulging in this illegal business.

On 10.1.2019, this Court had passed the following order :-

“Notice of motion for 25.03.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 10.1.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of HC Davinderjit Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 10.1.2019, is made absolute.

The petition stands allowed.

March 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No