

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2957-2019

Date of Decision: 26.02.2019

Kamal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Prashant Vashisth, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Kamal Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.172 dated 20.10.2018, registered at Police Station Khanna City-2, Ludhiana, under Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

As per the prosecution version, 20 boxes of whisky mark 999 Power Star Fine whisky for sale in Chandigarh were recovered. The petitioner was driving the car, who ran away from the spot and his name was disclosed by co-accused Gurdeep Singh, who was sitting in the car.

In pursuance of the interim order dated 23.01.2019, passed by this Court, the petitioner has already joined the investigation. He is not

required for custodial interrogation. Recovery has already been effected in this case. No useful purpose would be served by sending him 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 this petition and the same is allowed. The order dated 23.01.2019, granting interim bail to the petitioner, is made absolute. However, 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.

26.02.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No