

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

205

CRM-M-15292-2018 (O & M)
Date of Decision:01.03.2019

Gurinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.(ORAL)

CRM-5081-2019

This application has been filed for amending the head-note and the prayer of the main case i.e. addition of an offence under Section 473 IPC in the petition.

Allowed as prayed for and the offence under Section 473 IPC be added in the petition, at appropriate places(s).

Main Case

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.27 dated 29.01.2018, under Sections 61/1/14 of The Punjab Excise Act registered at Police Station Samrala, Police District Ludhiana.

On 18.04.2018, this Court had passed the following order:-

“It has been submitted that the petitioner was not arrested from the spot. Rather, the recovery of liquor was effected from vehicle No.PB-10FF-5259.

Notice of motion for 20.08.2018.

In the meanwhile, the petitioner is directed to surrender before the Arresting/Investigating Officer. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him. ”

Learned counsel for the petitioner contends that in pursuance of the order dated 18.04.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from HC Sawarn 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 18.04.2018, is made absolute.

The petition stands allowed.

01.03.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No