

CRM-M-10957-2019

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

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Date of Decision: 08.04.2019

Paljinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jashandeep Singh Sandhu, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.04 dated 20.01.2019, registered at Police Station S.G.N.Dev Thermal Plant Bathinda, District Bathinda, under Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in this case. Learned State counsel has put in appearance 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 gone through the record.

From the record, I find that FIR, in the present case, was

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registered against the present petitioner and co-accused on the basis of secret information. As per the prosecution version, a raid was conducted at the room used for tubewell connection from where 130 cartons of countrymade liquor make 'Shehnai' Haryana and 21 cartons of countrymade liquor make 'ADL Malta' Haryana, were recovered. The petitioner was not found at the spot.

In pursuance of the interim order dated 11.03.2019 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. Therefore, no useful purpose will be served by sending the petitioner to custody and then to keep him in custody till the final disposal of the case.

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 11.03.2019, 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.

08.04.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No