

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14642-2019

Date of Decision: 02.05.2019

Kirpal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Prachi Grover, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Kirpal Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.163 dated 17.07.2018, registered at Police Station Kotwali Kapurthala, District Kapurthala, 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.

From the record, I find that the FIR in the present case has been registered on the basis of secret information.

As per the prosecution version, 48 boxes of liquor etc. were recovered and the accused fled away from the spot.

In pursuance of the interim order dated 05.04.2019, passed by this Court, the petitioner has already joined the investigation. He is not

required for custodial interrogation. Recovery has already been effected. No useful purpose would be served by sending the petitioner 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 05.04.2019, 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.

02.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No