

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-18085 of 2019

Date of Decision: October 24, 2019

Kuldeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Akash Yadav, Advocate for
Mr. Abhinav Gupta, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.149 dated 04.09.2018 under Sections 61-1-14 of Punjab Excise Act, 1914 registered at Police Station Nihalsinghwala, District Moga. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 27.05.2019 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the recovery is from the disclosed place near a drain bridge and nothing is on record to connect the petitioner from the alleged recovery.

Notice of motion for 24.10.2019.

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 further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Ram Lubhaya does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Ram Lubhaya further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.05.2019 is made absolute.

October 24, 2019
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[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No