

CRM-M-43287-2018

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

CRM-M-43287-2018

Date of Decision: 20.11.2019

Amit Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Dinesh Maurya, Advocate for
Mr. D.S.Dalee, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (Oral)

Through the instant petition, the petitioner seeks anticipatory bail in FIR No.86 dated 23.08.2018, registered at Police Station Moonak, District Sangrur, under Section 61 of the Punjab Excise Act, 1914.

On 01.10.2018, a Coordinate Bench of this Court passed the following order:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.86 dated 23.8.2018 under Section 61 of Punjab Excise Act, 1914 at Police Station Moonak, District Sangrur.

The learned counsel submits that although the case of the prosecution is that 756 bottles of country made liquor make ‘Malta Haryana’ were recovered from a Qualis vehicle bearing registration No.PB-11-AX- 3270 but the petitioner was never arrested at the spot and has in fact been falsely

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implicated.

Notice of motion for 28.1.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner states that pursuant to the order dated 01.10.2018 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Magar Singh, submits that though the petitioner has joined investigation and is not required for any further investigation, yet he has not furnished the personal bonds before the Investigating Officer.

Looking to the circumstances, but without commenting on the merits of the case, the present petition is allowed and the order dated 01.10.2018 granting interim bail to the petitioner is made absolute, subject to the conditions that the petitioner shall again appear before the Investigating Officer and furnish the personal bonds to the satisfaction of the Investigating Officer and also abide by the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure.

20.11.2019

parveen kumar

Note:

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

: Yes/No

: Yes/No