

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

**CRM-M No.45767 of 2018
Decided on: 20.02.2019**

Gaganjot Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. J.S. Thakur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.165 dated 22.09.2018, registered under Sections 61/1/14 of the Punjab Excise Act, 1914 and 420, 482 and 120-B of the Indian Penal Code, 1860 at Police Station Basti Bawa Khel, District Commissionerate Jalandhar.

The operative part of the order dated 26.10.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that vide order dated 17.10.2018 passed in CRM-M-45947-2018, the co-accused Anil Kumar @ Sonu has been granted the concession of anticipatory bail by this Court. Learned counsel further submits that in the present case, ASI Mohinder Singh received a secret information that Mohit Kumar, Prince Bhagat and Anil Kumar @ Sonu,

were indulging in business of supplying the liquor and they were coming in jeep bearing fake number and if they were checked, the same can be recovered. Thereafter, ASI Mohinder Singh, with the help of police officials apprehended the jeep bearing No.PB-08-9554 along with the driver. However, three other persons ran away from the spot. Head Constable Amit Kumar called them by their names as Anil Kumar @ Sonu, Prince Bhagat and Gagan i.e.the petitioner. Learned counsel further submits that the recovery has already been effected and nothing is to be recovered from the petitioner.

Learned State counsel, on instructions from ASI Narinder Pal Singh, submits that the petitioner is not found involved in any other case.

Notice of motion for 05.12.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 26.10.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Gurnam Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 26.10.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

20.02.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No