

CRM-M No.47320 of 2018

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

**CRM-M No.47320 of 2018
Date of Decision: 25.01.2019**

Kulwant Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Kiranjeet Kaur, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.132 dated 02.09.2018, under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Sadar Fazilka, District Fazilka.

While issuing notice of motion, this court passed the following order on 26.10.2018 :-

“Learned counsel for petitioner submits that recovery of 80 bottles of illicit liquor was effected from Innova Car. The allegations against the petitioner is that he absconded from the spot when police conducted the raid. The petitioner is ready to join the investigation to facilitate his identification.

Notice of motion for 25.1.2019.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

List along with CRM-M-46946 of 2018. ”

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Learned State Counsel, on instructions from HC Krishan Lal has acknowledged that in terms of the previous order the petitioner has joined the investigation and his custodial interrogation is no longer required in this case.

In view of above, the interim order dated 26.10.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

25.01.2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>