

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

**CRM-M No.22340 of 2019 (O&M)
Date of Decision: 19.07.2019**

Nek Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. T.S.Hundal, Advocate for
Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

Mr. Venu Gopal Jauhar, Sr. DAG, Punjab
for the respondent/State.

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 case bearing FIR No.56 dated 05.05.2019 (P-1), under Sections 61/1/14 of the Punjab Excise Act, 1914, registered at Police Station Dayalpura, District Bathinda.

This Court, while issuing notice of motion on 16.05.2019, passed the following order:-

“ Contends that recovery of the alleged 50 litre Lahan has already been effected and the petitioner is ready to join the investigation. Also contends that there is no other criminal case pending against him.

Notice of motion for 19.07.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Contends that in terms of above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from H.C. Paramjit Singh, has acknowledged that in terms of order dated 16.05.2019, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 16.05.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

July 19, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No