

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

CRM-M-48916 of 2018
Date of Decision:20.02.2019

Anil Kumar @ Neelu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ashok Paul Batra, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.103 dated 10.10.2018 under Sections 61/1/14 of the Excise Act, 1914 registered at Police Station City-2 Abohar, District Fazilka.

On 02.11.2018, the following order was passed by this Court:

“Submits that recovery was not effected from the petitioner.

Notice of motion for 19.2.2019.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week. 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.”

It is contended by learned counsel for the petitioner that in terms of the order dated 02.11.2018, the petitioner has joined the

investigation.

On instructions from ASI Manjit Singh, the above factual position is duly acknowledged by learned State counsel and further stated that the custodial interrogation of the petitioner is not required in the present case.

In view of the above, the order dated 02.11.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

February 20, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no