

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

210

CRM-M-49470-2018 (O & M)
Date of Decision:30.01.2019

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mikhail Kad, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.(ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.217 dated 18.10.2018, under Section 61 of Excise Act, 1914 registered at Police Station Lehra, District Sangrur.

On 05.11.2018, this Court had passed the following order:-

“The petitioner seeks pre-arrest bail in case FIR No.217 dated 18.10.2018 under Section 61 of Excise Act, 1914 registered at Police Station Lehra, District Sangrur.

Learned counsel for the petitioner states that petitioner was not apprehended at the spot. As per FIR, 24 bottles of country made liquor were recovered from the motorcycle, which the petitioner was alleged to be riding. He further states that no further recovery is to be effected from the petitioner.

Notice of motion for 30.01.2019.

Meanwhile, in the event of arrest, the petitioner

Gurdeep Singh shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner contends that in pursuance of the order dated 05.11.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Harbans Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.11.2018, is made absolute.

The petition stands allowed.

30.01.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No