

212

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

CRM-M-23914 of 2019

Date of decision: September 06, 2019

Gurcharan Singh @ Charna

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. H.S. Multani, AAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.20 dated 29.04.2019, under Sections 61/78/1/14 of the Punjab Excise Act, 2014, registered at Police Station Nandgarh, District Bathinda.

As per prosecution case, petitioner and his co-accused, namely Harwinder Singh were apprehended and 60 bottles of country made liquor make Shahi Haryana and 12 bottles of IMFL make Lords Blended along with one car were recovered from their possession.

On 24.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Notice of motion 6.9.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall

join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 24.05.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 24.05.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully cooperate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

September 06, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No