

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

**CRM-M No.24643 of 2019 (O&M)
Date of decision : October 30, 2019**

Gurpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. A.S. Khosa, Advocate for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

MANOJ BAJAJ J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.35 dated 03.05.2019 under Section 61 of the Excise Act, 1914 registered at Police Station Sadar Abohar, District Fazilka. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 28.05.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the FIR is founded on a secret information which contains allegations of preparation of lahan. According to him, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 30.10.2019.

In Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in

the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel on instructions from ASI Rajender does not dispute this fact that the petitioner has joined the investigation. Learned counsel further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 28.05.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

October 30, 2019

sarita

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No