

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

275

CRM-M-53902-2018 (O&M)
Date of Decision : 14.2.2019

Sukhwinder Singh

...Petitioner

vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in case FIR No. 0284 dated 9.10.2018 registered under 61 Punjab Excise Act, 1914 at PS Talwandi Sabo, District Bathinda.

On 6.12.2018 the following order was passed :-

"Prayer in this petition under Section 438 Cr.P.C. Has been made for grant of anticipatory bail to the petitioner, in case, FIR No.0284 dated 09.10.2018, registered under Section 61 of the Punjab Excise Act, 1914, at Police Station Talwandi Sabo, District Bathinda.

According to the prosecution, on 09.10.2018, on the basis of secret information, 420 bottles of country made liquor make "Shehnai" (Haryana) were recovered from the house of the petitioner, without any permit or licence.

Learned counsel contends that the petitioner has falsely

been implicated in the instant case. The house from where the recovery was effected is a joint property, where eleven persons are living. He was not apprehended at the spot.

Notice of motion for 14.02.2019.

In the meantime, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Today counsel for the petitioner has stated that the petitioner has joined the investigation.

Learned Senior DAG on instructions from HC Bugga Singh has accepted these factual assertions and stated that the petitioner is no more required for custodial interrogation.

In the circumstances, keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 6.12.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

14.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No