

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

**CRM-M No.54247 of 2018 (O&M)
Date of Decision: 27.02.2019**

Karan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Rajesh Bhateja, Advocate for the petitioner.

Mr. C.L.Pawar, Senior Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.165 dated 27.08.2018, under Section 61/1/14 of the Excise Act, 1914, registered at Police Station Mandi Gobindgarh.

This Court, on the previous date of hearing i.e. 10.12.2018, passed the following order:-

“ *Learned Counsel for the petitioner contends that recovery of the alleged 60 Cannies each containing 40 litres of Spirit has already been effected from the vehicle make Balero Pick-Up bearing registration No.PB02-CC-9251 and the same does not belong to the petitioner.*

However, learned State Counsel, on instructions from H.C. Mohan Singh, is disputing the same by submitting that there are some documents pertaining to the ownership, which clearly suggests that petitioner is the owner of the aforesaid vehicle.

Adjourned to 27.02.2019 for further consideration.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds

to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

It is contended by learned Counsel for the petitioner that in pursuance of the above order, petitioner has joined the investigation and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from H.C. Mohan Singh.

In view of above, interim order dated 10.12.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

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

February 27, 2019
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No