

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

CRM-M-26094-2019 (O&M)

Date of decision : 27.08.2019

Happy @ Hitesh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ankush Thakral, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab alongwith
HC Baljit Singh.

ANIL KSHETARPAL, J. (ORAL)

On 31.05.2019, following order was passed:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0055 dated 16.05.2019 under Section 61 of the Punjab Excise Act registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

As per the FIR, in pursuance to a secret information received qua the present petitioner a raid was conducted and heavy quantity of liquor recovered from him. Learned counsel for the petitioner contends that in fact the recovery so effected has been from the house of the co-accused and not from the petitioner. He further contends that the petitioner is ready and willing to join investigation as and when required.

Notice of motion for 08.08.2019.

Meanwhile, the petitioner shall join investigation and appear before the Investigating/Arresting Officer as and when required. On doing so, the petitioner shall be released on interim bail to the satisfaction of Investigating Officer. The petitioner shall comply with the terms and conditions as stipulated in Section 438(2) Cr.P.C. ”

Learned counsel for the State, on instructions from HC Baljit Singh, has submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation at this stage.

In view thereof, interim order dated 31.05.2019 is made absolute.

Accordingly, the present petition is allowed.

27.08.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No