

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

CRM-M-26324-2019

Date of decision-15.11.2019

Kulwant Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohiteshwar Pal, Advocate for
Mr. Harshit Jain, Advocate for the petitioner.

Mr. Kirat Singh 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.052 dated 23.05.2019 under Sections 61, 1 and 14 of Excise Act, 1914 registered at Police Station Sherpur, District Sangrur. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 06.06.2019 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 inter alia contends that as per the allegations, 96 bottles of Country Made Liquor have been recovered from the co-accused/non-applicant-Mela Singh and that nothing is to be recovered from the possession of the petitioner as per these allegations.

Notice of motion for 02.08.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail to the satisfaction of arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for to do so and he shall also abide by the conditions as envisaged 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 who is assisted by ASI Shiv Ram does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Shiv Ram 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 06.06.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

15.11.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No