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

CRM-M-26351 of 2019

Date of decision: September 10, 2019

Manpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sanjeev Kumar, Advocate for
Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.0098 dated 25.12.2018, under Section 61(1) of Punjab Excise Act, 1914, registered at Police Station Sadar Rajpura, District Patiala.

As per prosecution case, recovery of the contraband has been effected from the co-accused, namely Rakesh Kumar.

On 06.06.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that recovery of alleged contraband i.e. 190 cartons containing 2280 bottles of Crazy Romeo Whisky (for sale in Arunachal Pradesh) and 250 Cartons containing 3000 bottles of Party Special Whisky (for sale in Arunachal Pradesh) has already been effected from co-accused Rakesh Kumar. Further contends that petitioner is ready to join the investigation.

Notice of motion for 07.08.2019.

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 in the present case 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.”

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 06.06.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 06.06.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

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

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

(MAHABIR SINGH SINDHU)
JUDGE

September 10, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No