

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

CRM-M-30278-2019

Date of decision: November 19, 2019

Shinder Pal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Judgepreet Singh Warring, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.6 dated 30.01.2015, under Sections 61/1/14, Punjab Excise Act, 2014, Police Station Phul, District Bathinda.

On 18.07.2019, this Court had passed the following order:-

“Learned counsel for the petitioner contends that the interim concession was extended by the Additional Sessions Judge, Bathinda, however, on 04.07.2019, the petition for pre-arrest bail was dismissed in the absence of the counsel for the petitioner on the ground that he has failed to join the investigation. It is pointed out that recovery already stood effected on the day when the FIR was registered and his custodial interrogation may not be necessary in the given facts.

Notice of motion for 19.11.2019.

In the meanwhile, 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.”

Learned counsel for the petitioner contends that in pursuance of the order dated 18.07.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of HC Manjit Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 18.07.2019, is made absolute.

The petition stands allowed.

November 19, 2019
m. sharma

(**MANOJ BAJAJ**)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No