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

CRM-M-34521 of 2019

Date of decision: September 30, 2019

Malkit Singh @ Sona

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Varinder Basa, Advocate for the petitioner.

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

MAHABIR SINGH SINDHU, J

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.46 dated 08.07.2019, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Qilla Lal Singh, District Gurdaspur.

On 26.08.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that recovery of contraband of 156 bottles of liquor had already been effected from co-accused Balwinder Singh @ Haidi. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion for 30.09.2019.

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 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 ASI Yunas Masih, has stated that in terms of order dated 26.08.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 26.08.2019 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 30, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No