

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

**CRM-M-36077-2019
Date of decision: 23.09.2019**

Kuldip**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Parshant Sethi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 58 dated 13.06.2019, under Section 61 of the Punjab Excise Act, 1914 and Section 420 IPC, registered at Police Station Bhargo Camp, District Police Commissionerate Jalandhar.

The operative part of the order dated 30.08.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that the present FIR was registered on a secret information that some unknown smugglers have brought illicit liquor from outside the State and in pursuance to which, when the police party conducted the raid on the house of one Michal, 75 boxes of liquor were recovered. Thereafter, the petitioner is sought to be arrested in this case on the disclosure of one Dara Singh. Learned counsel for the petitioner further submits the recovery has already been effected and the petitioner was not present at the spot and the place, from where the recovery was effected, does not belong to the petitioner.

Notice of motion for 23.09.2019.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 30.08.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Som Nath, assisted by learned counsel for the complainant, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 30.08.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.09.2019*Waseem Ansari***(ARVIND SINGH SANGWAN)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*