

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

**CRM-M No.38193 of 2019 (O&M)
Date of Decision: 04.11.2019**

Kala Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioners.

SI Som Nath for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.35 dated 14.06.2019, under Section 61 of the Excise Act, 1914, registered at Police Station Bilga, Jalandhar.

This Court, while issuing notice of motion on 09.09.2019, passed the following order:-

“ Contends that recovery of alleged contraband i.e. 50 bottles of illicit liquor and 3200 litres Lahan has already been effected.

Notice of motion for 04.11.2019.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C ”

Today, SI Som Nath, who is present in the Court, submits that both petitioners have joined the investigation in terms of order dated 09.09.2019 and their custodial interrogation is not required.

In view of above, interim order dated 09.09.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

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

November 04, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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