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

CRM-M-38812 of 2019

Date of decision: October 29, 2019

Sapinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Brar, 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.102 dated 15.06.2019, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Dharamkot, District Moga.

On 12.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Paper book reveals that recovery of alleged contraband i.e. 7 bottles of illicit liquor has already been effected from co-accused.

Notice of motion for 29.10.2019.

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 Jaspal Singh, has stated that in terms of order dated 12.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 12.09.2019 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

October 29, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No