

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

CRM-M-39440 of 2019
Date of Decision: 27.11.2019

Gurdeep Singh		Petitioner
	Versus	
State of Punjab		...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Harmanpreet Singh, Advocate
for the petitioner.

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

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.91 dated 09.04.2019 under
Section 61 of Punjab Excise Act, 1914 registered at Police Station
Sahnewal, Ludhiana.

On 17.09.2019, while issuing notice of motion the
following order was passed by this Court:

*“Contends that recovery of 50 boxes of ‘Royal Secret
Whisky’ has already been effected.*

Notice of motion for 08.11.2019.

*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.”*

It is contended by learned counsel for the petitioner that
in terms of the above order, petitioner has already joined

investigation.

Learned State counsel on instructions from HC Wazeer Singh has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, order dated 17.09.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

November 27, 2019

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no