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

CRM-M-44208 of 2019

Date of decision: November 18, 2019

Sukha @ Sukhwinder

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Surmeet S. Sandhu, Advocate for the petitioner.

Mr. H.S. Multani, AAG 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.117 dated 21.07.2019, under Section 61 of the Excise Act, 1914, registered at Police Station Sadar Kapurthala.

On 16.10.2019, while issuing notice of motion, this Court has passed the following order:-

“Learned counsel for the petitioner contends that as per the allegations of the prosecution, recovery of 29 boxes of liquor brand Royal Secret has already been effected from the Car.

Notice of motion for 18.11.2019.

In the meanwhile, the petitioner is directed to join 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) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from ASI Malkit Singh, has stated that in terms of order dated 16.10.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 16.10.2019 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

November 18, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No