

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

**CRM-M No.62244 of 2018 (O&M)
Date of Decision: 04.02.2019**

Sher Singh

..... Petitioner

Versus

State of Punjab

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. N.S.Sodhi and Mr. Manvir Singh, Advocates
for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab
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 petitioner in case FIR No.258 dated 23.11.2018, under Sections 61/1/14 of the Excise Act, 1914, registered at Police Station Sadar Ferozepur, District Ferozepur.

This Court, while issuing notice of motion on 21.12.2018, passed the following order:-

“ Learned Counsel for the petitioner contends that the alleged recovery of 300 Kgs. of Lahan has already been effected and the petitioner is ready to join the investigation.

Notice of motion for 04.02.2019.

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 in the present case 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. ”

Today, learned Counsel for the petitioner submits that petitioner has joined the investigation in terms of aforesaid order and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Gurcharan Singh.

In view of above, interim order dated 21.12.2018 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 petitioner 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.

February 04, 2019

(MAHABIR SINGH SINDHU)
JUDGE

Gagan

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>