

CRM-M-64839-2018

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

CRM-M-64839-2018

Date of Decision: 25.02.2019

Ajay Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parneet Singh Baidwan, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Status report by way of affidavit of Sh. Raminder Singh Kahlon, PPS, Deputy Superintendent of Police, Sri Anandpur Sahib, District Rupnagar has been filed in the Court today. Same is taken on record.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.132 dated 22.11.2018, registered at Police Station Nurpur Bedi, District Rupnagar, under Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Perusal of record shows that FIR, in the present case, has been registered on the basis of secret information. As per the prosecution version, the present petitioner was not apprehended at the spot. However, 10 boxes of liquor were recovered.

In pursuance of the interim order dated 01.01.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 01.01.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

25.02.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No