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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50287-2019
Date of decision-17.12.2019

Jagsir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.S.Jatana, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner-Jagsir Singh has prayed for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.321 dated 06.10.2019 under Sections 61 and 78 of The Punjab Excise Act, 1914 registered at Police Station Talwandi Sabo, District Bathinda. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner submits that before the Court of Additional Sessions Judge, Bathinda, it was the stand of the Police that petitioner is neither accused nor is wanted in the FIR No.321 dated 06.10.2019, therefore, finding apprehension of arrest on the part of the petitioner is baseless and his prayer for grant of pre-arrest bail was declined. He submits that now the petitioner has been named by the Police and subsequently he has been indicted as an accused by Police on the ground that the vehicle in question belongs to him. It is pointed out that the

petitioner is not involved in any other case.

On the other hand, learned State counsel assisted by HC Satnam Singh does not dispute the factual aspects. It is also not disputed that petitioner is not involved in any other case.

Considering the above and the fact that the recovery has already been effected, therefore, custodial interrogation of the petitioner may not be necessary. It is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

17.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No