

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

CRM-M-35478 of 2018
Date of Decision:20.02.2019

Balwinder Singh @ FaujiPetitioner
Versus

State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vaibhav Mittal, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.140 dated 12.05.2018 under Sections 61/1/14 of Excise Act, 1914 registered at Police Station A Division, District Amritsar.

On 18.09.2018, the following order was passed by this Court:

“Learned State counsel submits that the investigating officer of the case has not turned up and requests for adjournment.

List on 05.12.2018.

Petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) (i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

It is contended by learned counsel for the petitioner that

in terms of the order dated 18.09.2018, the petitioner has joined the investigation.

On instructions from ASI Love Kumar, the above factual position is duly acknowledged by learned State counsel and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, the order dated 18.09.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

February 20, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no