

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

CRM-M-12022-2020(O&M)

Date of decision : 30.09.2020

Abhishek Kumar @ Ganji

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.67 dated 11.04.2020 under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Sadar Sangrur, District Sangrur (Punjab).

On 11.05.2020, the following order was passed:-

“Matter heard through video conferencing.

Learned counsel for the petitioner contends that it is an admitted case that though the two-wheeler from where the alleged recovery was effected is in the ownership of the petitioner, however, the petitioner was not apprehended at the spot.

Ms. Monika Jalota, DAG, Punjab, who has also joined the

session, on instructions from ASI Jagtar Singh is unable to dispute the fact that the petitioner was not apprehended from the spot. She however, seeks time to get further instructions. On her request adjourned to 29.05.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all terms and conditions as specified under section 438(2) of the Criminal Procedure Code, 1973.

Today, learned counsel for the State, on instructions from ASI Jagtar Singh, has stated that the petitioner has since joined the investigation and is cooperating. He is no longer required for any further investigation as of now.

In view of the above, order dated 11.05.2020 is made absolute. The petitioner shall, however, join the investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed off accordingly.

(ALKA SARIN)
JUDGE

30.09.2020
Yogesh Sharma

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO