

204-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15895-2020 (O&M)

Date of decision-18.08.2020

Channa Singh @ Channa and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. C.S.Rana, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.405 dated 10.12.2019 under Section 61 (1) Punjab Excise Act, 1914 registered at Police Station Phillaur, District Jalandhar. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 22.06.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

*“The matter has been taken up for hearing through video conferencing due to COVID-19 situation.
The petitioners have approached this Court aggrieved of dismissal of anticipatory bail by Additional Sessions Judge, Jalandhar vide order dated 17.03.2020 in FIR No. 405 dated 10.12.2019, registered under Section 61 of*

Punjab Excise Act, 1914 at Police Station Phillaur, Jalandhar.

Learned counsel for the petitioners submits that the co-accused have already been granted the anticipatory bail by this Court and the matter is pending for 01.07.2020.

Learned State counsel received advance copy of the petition, he is not in a position to dispute the said factual aspect.

Considering the facts and circumstances, the petitioners are granted interim bail subject to their joining investigation within one week.

They shall be abide by the conditions as envisaged in Section 438(2) Cr.P.C.

Put up on 01st July, 2020.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Jai Gupal does not dispute this fact that the petitioners have joined the investigation and they are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.06.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

18.08.2020

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No