

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.16081 of 2020
Date of Decision: September 30, 2020

Jatinder Singh @ Goti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Varinder Basa, Advocate,
for the petitioner.

Mr. Ramdeep Partap, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.12 dated 10.02.2020, under Section 61 Punjab Excise Act, registered at Police Station, Rangar Nangal, District Gurdaspur. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner 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 petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the recovery of alleged illicit liquor was made from vehicle bearing No.PB 02-CC 9464 which does not belong to the petitioner. He further submits that the petitioner is neither named in the FIR nor he is involved in any other case much less of the similar nature. According to him, the custodial interrogation of the petitioner may not be required as he is willing to join the investigation.

At this stage, Mr. Dhruv Dayal, Sr. DAG, Punjab on instructions from ASI Rashpal Singh has pointed out that the petitioner is involved in another case bearing FIR No.126 dated 01.12.2019 registered under Section 61 of Excise Act, 1914 at Police Station Ghuman, District Batala.

Notice of motion for 30.09.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

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

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Rachpal Singh, further states that the petitioner is 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.

Petition stands disposed off.

September 30, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No