

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16364-2020
Date of Decision: 10.09.2020

Shinder Singh and another ... Petitioners
v/s
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. G.S.Dhillon, Advocate for the petitioner.

Mr. H.S.Multani, AAG Punjab.

(The case has been taken up through video conferencing on account of Covid-19 pandemic)

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VIVEK PURI, J. (ORAL)

On 20.07.2020 following order was passed:

“Briefly, in pursuance of the secret information a raid was conducted on 23.05.2020 and 150 bottles of country made liquor were recovered from a room. The name of both the petitioners was mentioned in the secret information. However, the arrest of Shinder Singh- Petitioner No.1 has already been effected and it has been stated that he has been released on regular bail.

The reply has been placed on record which indicates that besides the present case 05 other cases under Excise Act registered against the petitioner though he is stated to be on bail in all those cases. It has been conceded that no case under Excise Act has been registered against the petitioner in last about 02 years except the present one.

Adjourned to 10.09.2020.

Meanwhile, it is directed that in the event of arrest, the petitioner(s) be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he/they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

It has been conceded by learned counsel for the petitioner that

the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions from HC Inderjit Singh, has not disputed the factual position of the case and conceded that custodial interrogation of the petitioner is no more required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 20.07.2020 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

10.09.2020

Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No