

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

CRM-M-17300-2020 (O&M)

Date of decision: 09.09.2020

Harjinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. B.S. Jatana, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Harjinder Singh, an accused in FIR No.0103 dated 19.06.2020, for offences under Sections 61, 78 (2) of the Punjab Excise Act, 1914, registered with Police Station City-1, District Mansa.

The petitioner had been booked in this case on the allegations that on 19.06.2020 on receipt of secret information, a picket was laid and recovery of 36 bottles of country made liquor made in Haryana meant for sale in that very State was effected from the motorcycle of such accused, though, accused had managed to slip away.

Apprehending his arrest in this case, the petitioner had approached the Court of Sessions at Mansa, seeking pre-arrest bail. His such application was assigned to Addl. Sessions Judge, Mansa, who vide

order dated 26.06.2020, dismissed the application. Feeling aggrieved, he has knocked at the door of this Court, praying for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Vide order dated 03.07.2020, the petitioner was granted interim bail with a direction to join the investigation. Learned counsel for the petitioner states the petitioner has since joined the investigation.

Learned State counsel, on instructions from ASI Gursewak Singh concedes this fact, further stating that the custodial interrogation of the petitioner is not required by the local police.

It being so, the interim bail granted to the petitioner, vide order dated 03.07.2020 is made absolute, subject to the following conditions:-

1. That the petitioner shall make himself available for interrogation by a police officer as and when required;
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
3. That he shall not leave India without prior permission of the Court.
4. He shall surrender his passport before the Investigating Officer and if he is not having passport, then, shall file the affidavit in that regard.

In case, the petitioner violates any terms & conditions, on

which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

09.09.2020

sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No