

203 (1)

IN THE PUNJB AND HARYANA HIGH COURT AT
CHANDIGARH

CRM-M-18113-2020
Date of decision: 13.10.2020

JAGJIT SHARMA @ BHALU

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Darshan Singh Malwai, Advocate for petitioner.
Mr. V.G. Jauhar, Sr. DAG, Punjab.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.0174 dated 21.06.2020, under Section 61 of the Punjab Excise Act, 1914 (Punjab Act, No.1 of 1914), (Sections 420, 467, 468, 471, 201 of the Indian Penal Code, 1860 added later on), registered at Police Station Bhawanigarh, District Sangrur.

On 09.07.2020, while issuing notice of motion, this Court has passed the following order:-

“Inter alia contends that the recovery of the alleged contraband, i.e. 1050 boxes (12600 bottles) of liquor has already been effected from co-accused, namely Gurbaj Singh @ Guri and Deepak. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion for 18.08.2020.

In the meanwhile, the petitioner is directed to join investigation

before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from police official ASI Gyan Singh, has stated that in terms of order dated 09.07.2020, the petitioner has joined investigation and his custodial interrogation is not required. Learned State counsel has also stated that as on today there is no other criminal case pending against the petitioner Jagjit Sharma @ Bhalu.

In view of the above, order dated 09.07.2020 granting interim bail to petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on merits of the case.

13 October, 2020
rajender

(MAHABIR SINGH SINDHU)
JUDGE

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