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IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH.

CRM-M-18622-2020
Date of order: 26.08.2020

RANJIT SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sumeet Puri, Advocate for the petitioner.
Mr. H.S. Sitta, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

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 case FIR No.21 dated 17.03.2020 under Section 61 of Punjab Excise Act, 1914, registered at Police Station Sandaur, District Sangrur.

On 14.07.2020, while issuing notice of motion, this Court passed the following order:-

“Contends that the alleged contraband i.e. 24 bottles of 777 OAK Vat Whisky as well as 14 bottles of Gold Whisky (555) were recovered from co-accused, namely, Pintu. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion for 26.08.2020.

In the meanwhile, the petitioner is directed to join the 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) Cr.P.C.”

Contends that in terms of above order, petitioner has already joined

investigation.

Learned State counsel, on instructions from ASI HC Safiq Khan has acknowledged the above factual position and stated that the petitioner has joined investigation and nothing incriminating has been recovered, therefore, his custodial interrogation is not required.

In view of the above, petition is allowed. Order dated 14.07.2020 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr.P.C.

However, it is made clear that the 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 the merits of the case.

26 August, 2020
rajender

(MAHABIR SINGH SINDHU)
JUDGE

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