

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-19692-2020 (O&M)

Date of Decision:- 27.11.2020

Jasvir Singh alias Jassi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anil Kumar Spehia, Advocate, for the petitioner.

Mr. A.S.Sandhu, Addl. AG Punjab,
assisted by ASI Jang Bahadur.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.14, dated 17.1.2020, Police Station Kartarpur, District Jalandhar, under Section 420, 34 IPC, Section 61-1-14 of Punjab Excise Act.
2. At the time of issuance of notice of motion, the following order was passed :-

“Learned counsel for the petitioner submits that the case of the prosecution is that a secret information was received to the effect that the petitioner brings liquor from Chandigarh and Arunachal Pradesh at cheaper rates and sells the same in Punjab and thus cheats innocent people and also causes loss to the

Government. It is further the case of the prosecution that pursuant to receipt of aforesaid information a raid was conducted and Swarn Singh i.e. father of the petitioner was apprehended and 69 bottles of liquor were recovered. It is further the case of prosecution that another 350 boxes were also recovered on the basis of disclosure statement made by father Swarn Singh regarding which a separate FIR has been lodged. It has been submitted that the petitioner was never arrested at the spot and has been falsely nominated as an accused.

Notice of motion for **27.11.2020**.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. It has been informed by learned State counsel that pursuant to interim directions, the petitioner has joined investigation and he is not required for any custodial interrogation.
4. Having regard to the fact that the petitioner was not arrested at the spot and has since joined investigation, his custodial interrogation is not warranted. The petition, as such is accepted and the interim directions issued vide order dated 20.7.2020 are hereby made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate

with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

November 27, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No