

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.19588 of 2020
Date of Decision: September 22, 2020

Karam Chand @ Kamma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.62 dated 16.06.2020, under Section 61 Punjab Excise Act, 1914, registered at Police Station, Narot Jaimal Singh, District Pathankot. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 20.07.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Case taken up through Video Conferencing.

Notice of motion.

Mr.Saurav Khurana, DAG Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 21.09.2020.

In the meanwhile subject to the petitioner’s joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section

438(2) Cr.P.C, in the event of his arrest in FIR No.62, dated 16.06.2020, registered under Section 61 of Punjab Excise Act, 1914 at Police Station Narot Jaimal Singh, District Pathankot, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Sukhdev Raj, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 20.07.2020 is made absolute.

September 22, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No