

AT CHANDIGARH

CRM-M-20585-2020(O&M)

Date of decision: 17.09.2020

Pappu Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. P.K.S.Phoolka, Advocate for the petitioner

Mr. V.G.Jauhar, Sr. DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

On 28.7.2020, this Court passed the following order:-

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.073 dated 9.7.2020 registered under Sections 61/1/14 of Punjab Excise Act, 1914 at Police Station, Nandgarh, District Bathinda Counsel would inter alia contend that the raid had been conducted by the police party upon secret information and the alleged recovery of 15 bottles of illicit liquor was not from the conscious possession of the petitioner. Rather even as per prosecution version the petitioner was not even present at the spot and had allegedly fled away.

Mr. Gaurav Garg Dhuriwala learned Sr. D.A.G., Punjab, who has also joined proceedings does not rebut the assertion made by counsel for the petitioner that he is not involved in any other case under the Excise Act.

Notice of motion, returnable for 17.9.2020.

In the meanwhile, petitioner is directed to join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Gurtej Singh, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation at this stage.

In view of the above, the order dated 28.7.2020, is hereby made absolute.

The petition stands allowed.

17.09.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No