

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-21975-2020****Date of Decision: 11.12.2020**

Krishan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILLPresent: Mr. Parminder Singh, Advocate, for
Mr. Laghuinder Singh Sekhon, Advocate, for the petitioner.Mr. Avtar Singh Sandhu, Addl. AG, Punjab,
assisted by ASI Mithu Ram.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.97 dated 15.07.2020 at Police Station Moonak, District Sangrur, under Section 61 of the Punjab Excise Act, 1914.
2. At the time of issuance of notice of motion on 07.08.2020, the following order was passed:

“Pursuant to secret information against one Jasvir Singh, said Jasvir Singh was arrested and 96 bottles of country made liquor were recovered from him.

It is the case of prosecution that the aforesaid Jasvir Singh made a disclosure statement nominating the present petitioner as the supplier.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated solely on the basis of alleged disclosure statement, which does not have much evidentiary value.

Notice of motion for 11.12.2020.

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

3. The learned State counsel upon instructions from ASI Mithu Ram has informed that pursuant to interim directions, the petitioner has since joined investigation and is not required for any custodial interrogation. The learned State counsel has further informed that the petitioner had earlier been involved in an identical case in the year 2014.
4. Having regard to the fact that the petitioner was not arrested at the spot and has since joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 07.08.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

11.12.2020

Vimal

(GURVINDER SINGH GILL)
JUDGE

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