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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.23131 of 2020

Date of Decision:11.09.2020

Hansa @ Sukha Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Sandeep Chopra, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

This is a petition for grant of anticipatory bail in case FIR No. 92 dated 02.08.2020, Under Section 61 of the Punjab Excise Act 1914 registered at P.S. Julkan, Patiala District Patiala.

On 08.09.2020 following order was passed by this Court:-

“The case has been taken up for hearing through video conferencing.

Learned State Counsel states that reply has been received in the Registry yesterday, but the same could not be filed due to paucity of time.

Adjourned to 11.09.2020.”

Learned counsel for the petitioner submits that

in the secret information address of the petitioner has not been shown but the police raided the house of the petitioner even without joining the independent witnesses as per requirement of Section 100 Cr.P.C.

Mr. Ramandeep Singh Sandh, DAG, Punjab submits that the petitioner is having antecedent behavior of criminal activity, as earlier petitioner was involved in seven other cases. Five cases were under the Excise Act and two cases under the Penal Code. The petitioner has been convicted in two cases and in one case he has been acquitted and other cases are still pending in which he is on bail.

In view of the above, Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 21.09.2020 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from

disclosing such facts to the Court or to any police officer;

- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

11.09.2020
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(RAJ MOHAN SINGH)
JUDGE

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