

CRM-M-23140-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23140-2020

Date of decision: 15.12.2020

Prem Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jasvir Singh Dhaliwal, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in
case bearing FIR No.136 dated 02.08.2020, under Section 61 of the Punjab
Excise Act, 1914, registered at Police Station Bareta, District Mansa.

This Court, on 18.08.2020, passed the following order:

*“Case is being taken up for hearing through video
conferencing.*

*This is a petition for anticipatory bail to the
petitioner in case FIR No.136 dated 02.08.2020 under
Section 61 of the Punjab Excise Act, 1914 registered at
Police Station Bareta, District Mansa.*

*Learned counsel for the petitioner states that on a
secret information, recovery was effected from the fields
(tibba) which does not belongs to the petitioner. Though, the
Court of Additional Sessions Judge, Mansa while declining
the bail of the petitioner has considered that the recovery
has been effected from the house of the petitioner but in the
FIR it is mentioned that the recovery is effected from the
fields which is an open place having access to the public.*

Notice of motion for 15.12.2020.

*On the asking of the Court, Mr. N.K. Banka, DAG,
Punjab accepts notice on behalf of the State.*

*Meanwhile, petitioner is directed to join the
investigation and if he is sought to be arrested, he shall be*

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released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that pursuant to the order dated 18.08.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Jagtar Singh, submits that the petitioner has joined the investigation and is now not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 18.08.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

15.12.2020

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**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No