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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through Video Conferencing)

CRM-M-23384-2020

Date of Decision: August 19, 2020

Vijay Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Rakesh Kumar, Advocate
for the petitioner.

.....

NIRMALJIT KAUR, J. (ORAL)

The present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.83 dated 10.04.2020 under Sections 61/1/14 of Excise Act, registered at Police Station Sadar Kapurthala, District Kapurthala.

Issue notice of motion.

Mr.Hittan Nehra, Addl.A.G., Punjab, accepts notice on behalf of the State.

Heard.

Recovery in the present case is 92250 ml country made liquor. Learned counsel for the petitioner while praying for bail submitted that excise duty has already been paid and other co-accused, namely, Kulwinder Chand, Tarlok Chand @ Rana and |Raghuvir Singh @ Khera, the contractors have been discharged.

Learned counsel for the State, on instructions from ASI Arjun

Singh, does not dispute that three of the accused, who were contractors, have since been discharged by the Investigating Officer.

In view of the above, the present petition is allowed with a direction to the petitioner to join the investigation and on his doing so, he be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

In case, the petitioner does not join the investigation or does not cooperate in the investigation, the respondent/State shall be at liberty to file an application for cancellation of his anticipatory bail.

August 19, 2020
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(NIRMALJIT KAUR)
JUDGE

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|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |