

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-25216 of 2020

Date of Decision: 07.12.2020

Tari Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. N. S. Sidhu, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail.

On 1.9.2020, the following order was passed:

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

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 157 dated 20.7.2020 under Section 61 of the Excise Act, 1914, registered at Police Station Maur, District Bathinda.

Learned counsel for the petitioner submits that on the secret information, raid was conducted but the petitioner was not apprehended at the spot. He further submits that recovery of 60 litres of illicit liquor (lahan) was allegedly effected from the house, which is in joint possession of the family of the petitioner. Learned counsel also submits that no private witness has been introduced by the raiding party and there is no other case against the petitioner.

Notice of motion.

On the asking of the Court, Mr. Harbir Sandhu,

AAG, Punjab accepts notice on behalf of the State.

Since despite the secret information, the petitioner was not apprehended on the spot and the house belongs to the joint family, interim bail is granted to the petitioner. He is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions envisaged in Section 438(2) of the Code of Criminal Procedure.

Adjourned to 7.12.2020.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the State on instructions from ASI-Sher Singh submits that the petitioner has joined the investigation and no custodial interrogation is required.

In view of the above, the interim bail granted on 1.9.2020 is made absolute.

The petition stands disposed of.

[AVNEESH JHINGAN]
JUDGE

7th December, 2020

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |