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

CRM-M No. 32593 of 2020  
Date of Decision: 24.11.2020

Jagdish Raj @ Rocky @ Jagdeep Kumar

-Petitioner

Versus

State of Punjab

-Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. A.S. Manaise, Advocate,  
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

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**RAJ MOHAN SINGH, J. (Oral)**

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.279 dated 01.10.2020 registered under Sections 61, 78(2) of Punjab Excise Act at Police Station Dinanagar, District Gurdaspur.

On 14.10.2020, following order was passed:-

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

*Learned counsel for the petitioner contends that house of the petitioner was raided*

*by the police party on the basis of secret information, still no independent witness was joined. Petitioner allegedly fled away by jumping over the wall on seeing the police party. Petitioner was already known to the ASI (author of the FIR). 40 bottles of illicit liquor were allegedly recovered. Learned counsel further contends that the mandatory requirement of search in terms of Section 100 (4) Cr.P.C. has not been complied with.*

*Notice of motion.*

*On the asking of Court, Mr.Ramdeep Pratap Singh, DAG, Punjab accepts notice on behalf of the respondent.*

*In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 18.10.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*

*List again on 24.11.2020.”*

Learned State counsel on instructions from SI Deepika submits that the petitioner has joined the investigation on 17.10.2020 to the satisfaction of Investigating Officer and he is no more required in further investigation of the case.

In view of above, order dated 14.10.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.

November 24, 2020

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**(RAJ MOHAN SINGH)**  
**JUDGE**

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