

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

CRM-M-32933-2020

Date of decision:23.11.2020

Budhu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Varinder Basa, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, 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.109 dated 18.09.2020, registered at Police Station Ghuman Kalan, District Gurdaspur, under Section 61 of the Punjab Excise Act, 1914.

On 09.11.2020, this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.109 dated 18.09.2020, registered at Police Station Ghuman Kalan, District Gurdaspur, under Section 61 of the Punjab Excise Act, 1914.

As per the case of prosecution, 20 bottles of illicit liquor were recovered from the house of the petitioner.

Learned counsel for the petitioner contends that although a raid was conducted on the basis of some secret information yet the petitioner was not arrested at the spot. Besides this, the petitioner has also been falsely implicated in FIR No.103 dated 11.09.2020, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Ghuman Kalan, in which he has been granted the benefit of ad-interim

pre-arrest bail by a Coordinate Bench of this Court vide order dated 09.10.2020 passed in CRM-M-32022-2020, now fixed for 23.11.2020.

Adjourned to 23.11.2020.

Meanwhile, the petitioner 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 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 09.11.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rakesh Kumar, submits that the petitioner has joined the investigation and he is 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 09.11.2020 passed by this Court 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.

23.11.2020

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(HARNARESH SINGH GILL)
JUDGE

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