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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36608-2019

Date of decision-14.01.2020

Rajinder Singh @ Sabhu

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.S.S.Sandhu, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.49 dated 12.08.2019 under Section 61 of Punjab Excise Act, 1914 registered at Police Station Smalsar, District Moga. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 02.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged recovery was effected from the residence of co-accused, namely, Darshan Singh. It is pointed out that the petitioner is not involved in the alleged crime and there is no other case against the petitioner of similar nature.

Notice of motion for 14.01.2020.

Meanwhile, the petitioner shall join the

investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Gurmukh Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Gurmukh Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 02.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

14.01.2020

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No