

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41484-2019 (O&M)

Date of Decision: 18.02.2020

Rinku Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lalit Singla, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.76 dated 15.07.2019 under Sections 61/78/1/14 Punjab Excise Act, 1914, registered at Police Station Bareta, District Mansa. He apprehended his arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 26.09.2019 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 vehicle (two wheeler) of the petitioner was found abandoned, which was allegedly recovered alongwith liquor by the police and FIR No.76 dated 15.7.2019, under Section 61/78/1/14 of Punjab Excise Act, 1914 was registered at Police Station Bareta, District Mansa. Learned counsel submits that on 16.7.2019 an application was moved by him for release

of vehicle on superdari and during those proceedings Head Constable Baljit Singh stated before the Court that the petitioner is not an accused in the said FIR. According to him, later on the petitioner was indicted as an accused after release of his vehicle on superdari on 16.8.2019.

Notice of motion for 18.2.2020.

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 HC Jagsir Singh does not dispute this fact that the petitioner has joined the investigation and states that he 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 26.09.2019 is made absolute.

18.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No