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

CRM-M-1470-2021

Date of decision : 03.03.2021

Kulwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Kulwinder Singh, Advocate for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G. Punjab.

RAJ MOHAN SINGH, J. (ORAL)

- 1) The case has been taken up for hearing through video conferencing.
- 2) The petitioner seeks grant of anticipatory bail in case bearing FIR No.248 dated 15.12.2020 registered under Section 61 (Act No.1) of the Punjab Excise Act, 1914, at Police Station Lohian, District Jalandhar.
- 3) Notice of motion was issued after noticing the fact that the FIR was registered on the basis of secret information but still no independent witness was joined in compliance of mandatory provisions of Section 100(4) of Cr.P.C.
- 4) This fact has not been denied by learned State Counsel, on instructions, from ASI Jasbir Singh.

5) Looking to the aforesaid circumstances, I am of the view that the petitioner has made out a case for the grant of anticipatory bail. The petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 07.03.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

03.03.2021

Pawan

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No