

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM-M-2582-2020

Date of decision: 10.08.2021

Joga Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rajesh Duhan, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.194 dated 06.08.2019, registered under Sections 61 and 78(2) of Punjab Excise Act, 1914, at Police Station Patran, District Patiala.

On 21.01.2020, the following order was passed:-

“Learned counsel for the petitioner contended that the petitioner is 73 years old and he has been implicated in this case merely because he was the owner of Swift Car bearing registration No.HR-05V-0950 from which (the) allegedly, 35 boxes of liquor were recovered. He has referred to the orders Annexures P3 to P5, vide which the co-accused were granted the concession of anticipatory bail by learned Sessions Court. He further submits that the petitioner is not even named in the FIR.

Notice of motion for 26.03.2020.

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 State counsel, upon instructions, from ASI Jarnail Singh submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 21.01.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

10.08.2021
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No