

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM-M-2703-2020

Date of decision: 10.08.2021

Gurtej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. P.K.S.Phoolka, 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.01 dated 03.01.2020, registered under Section 61 of Punjab Excise Act, 1914, at Police Station Talwandi Sabo, District Bathinda.

Counsel for the petitioner has contended that the petitioner has been involved in the FIR (Annexure P-1) as he was opposing the setting up of a liquor vend in the village. He urges that though recovery of 9 litres of lahan, working still, etc have allegedly been recovered from his house, but he was not found on the spot.

On 22.01.2020, the following order was passed:-

“Learned counsel for the petitioner submits that the allegations levelled against the petitioner in the FIR are false. He has further submitted that as per the instructions, petitioner is not involved in any other case.

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 HC Kuldeep 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 22.01.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

10.08.2021
Kamal

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