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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5234 of 2020

Date of Decision:02.09.2021

HARJINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Hitesh Verma, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.2 dated 11.01.2020 registered under Section 61/1 of the Punjab Excise Act, Police Station Mataur District SAS Nagar, Mohali.

Notice of motion was issued on 06.02.2020. Thereafter, vide order dated 12.03.2020, arrest of the petitioner was stayed on the statement of learned counsel for the petitioner that one Lakhwinder Singh resident of Khamoni was employed as driver on the vehicle in question and the

petitioner was not driving the vehicle at the relevant time.

Learned State counsel sought time to verify the aforesaid fact with reference to material on record.

Today, instead of filing the status report in compliance of order dated 12.03.2020, learned State counsel, on instructions from ASI Lakhwinder Singh, submits that the petitioner has joined the investigation on 15.06.2021 and his presence is not required for any further investigation as the recovery has already been effected from the spot.

In view of stand taken by learned State counsel, this petition is allowed. Petitioner is again directed to appear before the SHO/Investigating Officer to join investigation on 08.09.2021 and in the event of his arrest, he shall be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of SHO/Investigating officer 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.

02.09.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No