

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM No. M-11464 of 2021
Date of Decision : 20.09.2021

Shamsher Singh @ Sheru

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jagdish Singh Mahal, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 84, dated 22.05.2020, registered under Section 61 of Punjab Excise Act, at Police Station Sri Hargobindpur, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 12.03.2021. Order dated 12.03.2021 is as under:-

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.084 dated 22.05.2020 registered under Section 61 of the Excise Act, 1914 at Police Station Sri Hargobindpur, Police District Batala, District Gurdaspur.

Counsel for the petitioner would contend that based on secret information, a raid was conducted and there was alleged recovery of 200 kgs lahan. It is argued that even the

land where the alleged distillation was taking place does not belong to the petitioner as the petitioner is merely a farm labourer. The petitioner though named in the FIR was not arrested at the spot and the recovery already stands effected.

Notice of motion for 19.09.2021.

Mr. M.S. Nagra, DAG, Punjab, who is present through the medium of video conferencing accepts notice for the respondent-State.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Amrik Singh states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and the challan has been submitted and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 12.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands disposed of.

September 20, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No