

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(233)

CRM No. M-11417 of 2021
Date of Decision : 14.09.2021

Jeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kuldip Singh, 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. 182 dated 24.08.2020, registered under Section 61(1) of the Punjab Excise Act at Police Station Vairo Ke, District Fazilka.

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:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that the petitioner has been falsely implicated in the present case as would be evident from the fact that out of seven cases registered against him, he stands acquitted in five and in two cases he has been granted bail, as averred in para 13. It is argued that 150 litres of Lahan has allegedly been recovered from the spot. It is further submitted that no recovery is to be effected, therefore, his custodial interrogation would not be

required. In fact, the petitioner was not apprehended on the spot. It is submitted that the present FIR has been registered only on account of political vendetta and he is ready and willing to join the investigation.

Notice of motion.

Mr. M.S. Nagra, Dy.A.G., Punjab accepts notice on behalf of the respondent—State and opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is a habitual offender and a number of FIRs including the present one have been registered against him.

Adjourned to 14.9.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail 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 incorporated under Section 438(2) Cr.P.C.

It is however, made clear that in case the petitioner is found involved in any subsequent case, the State is at liberty to move for cancellation of interim bail granted to the petitioner today. ”

Learned State counsel, who has also joined the proceedings through video conference, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

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. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 14, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No