

210

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.11951 of 2021

Date of Decision: .08.07.2021

Harjinder Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Ms. Heena Verma, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. Advocate General,
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.0076 dated
20.05.2020 registered under Sections 61-1-14 of the Punjab
Excise Act, at Police Station Ghuman, District Gurdaspur,
Punjab.

On 07.04.2021, following order was passed by this
Court:-

Learned counsel for the petitioner contends that
at one point of time, interim bail was granted by
Additional Sessions Judge, Gurdaspur and the same
was subsequently rejected while passing the order on

merit on the premise that the petitioner did not cooperate with the Investigating Agency.

Learned counsel further contends that petitioner was having one more case to his credit i.e. FIR No.108 dated 05.06.2020 under the Excise Act and the said FIR was already under investigation. Owing to some mis-conception, petitioner could not answer specific question. Now, he is ready to cooperate in the investigation to the entire satisfaction of Investigating Officer.

FIR was registered on the basis of secret information and there is non-compliance of Section 100(4) Cr.P.C.

Notice of motion for 08.07.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 12.04.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

It is made clear that grant of interim order shall not be taken to be an expression on merits of the case in any manner. The case shall be considered on merits on the adjourned date .”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI

Gurvinder Singh admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 07.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

July 08, 2021
archana

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No