

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12126-2021

Date of Decision : 20.08.2021

PALA SINGH

...Petitioner

versus

STATE OF PUNJAB

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. A.K.Sama, Advocate for the petitioner.
Mr. Sukhbeer Singh, Asstt. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No. 357 dated 10.10.2020 registered under Sections 61/1/14, Excise Act, 2014 at Police Station Fazilka, District Fazilka.
3. On 26.03.2021, the following order was passed:-

“ Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel contends that the petitioner has been implicated in the instant case on the basis of secret information leading to conduct of raid and consequential recovery of 41 ¼ bottles of illicit liquor from the house of the petitioner without associating any independent witness or conduct of videography and apart from the aforementioned secret information, there is no other material to connect the petitioner with the alleged offence besides the petitioner is ready and willing to join investigation as and when required and to fully cooperate with the police and that there is no other case registered against the petitioner.

Notice of motion.

Mr. Sandeep Singh Deol, DAG, Punjab, accepts notice on behalf of the respondent and requests for an adjournment to obtain instructions and to file reply.

List on 03.05.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail subject to his furnishing bail bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Lakhwinder Singh* confirms that pursuant to the order of this Court dated 26.03.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 26.03.2021, passed by this Court, is made absolute. The petitioner shall abide by the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be read as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

20.08.2021

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<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>