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

CRM-M No.12486 of 2021

Date of Decision: .08.07.2021

Om Parkash

.....Petitioner

Vs

State of Punjab

.....Respondent

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

Present: Mr. Vinay Kumar, 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.70 dated 20.05.2020
registered under Sections 61 of the Excise Act, 1914 at Police
Station Hargobindpur, District Batala.

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

Learned counsel for the petitioner contends that
FIR was registered on the basis of secret information,
but there is total non-compliance of Section 100(4)
Cr.P.C. At one point of time, petitioner was granted
interim bail by the Additional Sessions Judge,

Gurdaspur, but thereafter the same was withdrawn owing to involvement of petitioner in number of cases. As per the list mentioned in para no.6 of the order dated 01.03.2021, petitioner was involved in 10 cases, out of which, cases from Serial No.1 to 7 were under the Excise Act in the same Police Station i.e. Sri Hargobindpur. One more case of the same Police Station is pending. Other two cases were under IPC which are also pending.

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 Harpal 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