

205

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

**CRM-M-10320-2020
Date of decision-05.08.2021**

HARNEK SINGH ALIAS NEKI**...Petitioner**

Vs.

STATE OF PUNJAB**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.2 dated 06.01.2020 under Section 61/1 Excise Act 1914, registered at Police Station Dayalpura District Bathinda. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.03.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged illicit liquor was recovered from the possession of Lovepreet Singh and Sikander Singh, who are on regular bail. According to him, the petitioner was falsely implicated, who is not involved in any other similar case.

Notice of motion for 20.07.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Paramjeet Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being. Learned State counsel further states that the challan has also been presented in the Court.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 12.03.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

05.08.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No