

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15097-2021 (O&M)
Date of Decision:- 11.11.2021

Dipty @ Dipty Lal

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagdish Singh Mahal, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Sawamberjit Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 85, dated 22.5.2020, Police Station Sri Hargobindpur, Police District Batala, District Gurdaspur, under Section 61 of Punjab Excise Act.
2. At the time of issuance of notice of motion the following order was passed on 6.4.2021:

“Learned counsel for the petitioner submits that although the police claims that pursuant to receipt of secret information against the petitioner, a recovery of 150 kilograms of ‘lahan’ was effected but there is nothing on record to attribute

possession of the said 'lahan' to the petitioner and that he was never ever arrested at the spot.

Notice of motion for 11.8.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. The learned State counsel, upon instructions from ASI Sawamberjit Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required.
4. In view of the aforestated position wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 6.4.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

11.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No