

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

211

CRM-M-17463-2021

Date of Decision:12.08.2021

AJIT SINGH @ JATT

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

On 23.04.2021, this Court passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 28 dated 05.04.2021, registered under Section 61 of Punjab Excise Act, 1914 at Police Station Division No.1, Pathankot, District Pathankot.

Counsel for the petitioner contends that the petitioner has been involved on the basis of disclosure statement of co-accused, namely, Sahil Kumar, who was apprehended as country made liquor was recovered from him while he was travelling on scooter. Counsel submits that the petitioner was not present at the spot as has been alleged in the FIR and the co-accused Sahil Kumar has been granted the concession of regular bail by Ld. Additional Chief Judicial Magistrate, Pathankot, vide order dated 08.04.2021 (Annexure P-2). Counsel submits that the petitioner is willing to join the investigation and co-operate with the investigating agency.

Notice of motion for 12.08.2021.

On asking of the Court, Mr. A.S.Gill, Senior DAG, Punjab accepts notice on behalf of respondent-State. State counsel, upon instructions from ASI Balbir Singh submits that the petitioner is not involved in any other criminal case.

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

Learned State counsel on instructions from ASI Dalbir Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 23.04.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

12.08.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No