

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

205

CRM-M-19802-2021

Date of Decision: 21.09.2021

RAJU ALIAS SABHI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Mayank Gupta, Advocate for
Mr. Hitesh Chopra, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

On 18.05.2021, 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 seeking anticipatory bail in case FIR No. 0166 dated 14.07.2020 under Section 61 of Punjab Excise Act, 1914, registered at Police Station PS Ghuman, District Batala (Annexure P-1).

Counsel for the petitioner submits that though 150 Kg of Lahan and a working still was allegedly recovered from the house of the petitioner but neither the petitioner was arrested from the spot nor any independent witness was joined at the time of the alleged recovery. Counsel submits that the petitioner has undergone heart surgery and by referring to para 18 of the petition, he asserts that the petitioner has clean antecedents and is not involved in any other criminal case.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab accepts notice on behalf of respondent-State.

List on 21.09.2021.

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 Sukhraj Singh, states that the petitioner has joined the investigation, he is no longer required for custodial interrogation and he is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 18.05.2021 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.

21.09.2021
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(SUVIR SEHGAL)
JUDGE

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