

CRM-M-22286-2021

Date of Decision : 20.08.2021

RANGPAL SINGH @ RAGGU
versus

...Petitioner

STATE OF PUNJAB

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr.Karanjeet Singh Brar , Advocate for the petitioner.
Mr. Sukhbeer Singh, Asstt. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No. 118 dated 04.08.2020 registered under Sections 61, Excise Act, 1914 at Police Station Khuian Sarwar, District Fazilka.
3. On 07.06.2021, the following order was passed:-

“ Petitioner-Rangpal Singh @ Raggu, stated to be aged 38 years, has filed the present petition under Section 438 Cr. P.C. inter alia praying for grant of anticipatory bail in case FIR No.118, dated 4.8.2020, under Sections 61 of the Excise Act, 1914, registered at P.S. Khuian Sarwar, District Fazilka.

Learned counsel for the petitioner by making reference to pleadings in the petition submits that the present FIR has been registered on the basis of secret information. He further submits that the petitioner wasnot arrested at the spot nor anything was recovered in

his presence. He then submits that he has never been involved in any FIR under the Excise Act prior to this.

Notice of motion.

On asking of the Court, Mr. H.S. Sitta, Asst. A.G., Punjab, accepts notice on behalf of respondent-State through video conferencing. He, on instructions from HC Jagjit Singh submits that there is another FIR which inter alia was registered under Section 379-B of IPC against the petitioner.

Learned counsel for the petitioner, at this stage, submits that the petitioner is ready to join the investigation and because of COVID situation also, retention of the petitioner behind the bars would be dangerous to his life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the investigation and appear before the Investigating Officer.

List on 20.08.2021.

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

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Pargat Singh* confirms that pursuant to the order of this Court dated 07.06.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 07.06.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be read as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

20.08.2021

renu

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>