

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23449-2021

Date of decision: - 27.08.2021

Bholi alias Bholi Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Laghuinder Singh Sekhon, Advocate
for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner is seeking anticipatory bail in FIR No.68 dated
08.04.2021, registered under Sections 61/1/14 of Excise Act, 1914, at
Police Station City Sunam, District Sangrur,

Learned counsel for the petitioner contends that the petitioner
has joined investigation in terms of order passed by a Co-ordinate Bench
of this Court on 13.07.2021. Order dated 13.07.2021 is as under:-

“Case has been taken up for hearing through Video
Conferencing.

This petition under Section 438 Cr.P.C. is for grant of

pre-arrest bail to petitioner in case FIR No.68 dated 08.04.2021, under Section 61 of Punjab Excise Act, registered at Police Station City Sunam, District Sangrur.

Learned counsel for petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further urges that allegedly in pursuance to secret information, raid was carried out at the house of petitioner from where 72 bottles of country-made liquor make 'Heer' (Haryana) were recovered. He further urges that in case raiding party comprising of police officials had actually raided the house of petitioner, absence of all the family members including petitioner from said house at the relevant time create doubt and even otherwise alleged recovery of liquor appears to be planted one as scene of crime was neither photographed or videographed to lend credibility to the cause of police action. He further submits that though petitioner has no nexus whatsoever with the alleged offence, even then she is ready to join investigation as and when called upon to do so by the Investigating Agency

Notice of motion.

At the asking of Court, Mr. Mehardeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of respondent-State and seeks time to furnish detailed reply. Complete copy of paper book be supplied to him during the course of the day.

Adjourned to 27.08.2021.

Reply by respondent-State be filed with the Registry of this Court well before the date fixed with copy in advance to learned counsel for the petitioner.

Meanwhile, in the eventuality of arrest of petitioner in the instant case FIR, she shall be enlarged on interim bail subject to her furnishing personal/surety bonds to the

satisfaction of Arresting Officer/Investigating Officer. Petitioner shall join investigation as and when called upon to do so by Investigating Agency. Petitioner shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Sita Ram, Police Station City Sunam, Sangrur, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required, at this stage.

In view of the above, the order dated 13.07.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

August 27, 2021
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No