

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

212

CRM-M-25894-2021

Date of Decision: 18.11.2021

Jaspal Kumar @ Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: None for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Teja Singh.

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.38 dated 20.06.2021 at Police Station Sadar Budhlada, District Mansa, under Sections 61/1/14 of the Punjab Excise Act.
2. At the time of issuance of notice of motion, the following order was passed on 08.07.2021:

“Learned counsel for the petitioner submits that although the prosecution claims that pursuant to receipt of the secret information to the effect that the petitioner was indulging in illicit liquor, 70 litres of ‘*Lahan*’ is alleged to have been recovered from the residence of the petitioner but in fact the petitioner is residing in H.No.135, whereas the recovery was effected from H.No.147 which is being used for keeping cattle etc.

It has further been submitted that the petitioner in any case was never arrested at the spot and in these circumstances no credibility can be attached to the case of the prosecution.

Notice of motion for 18.11.2021.

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 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) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner happens to be involved in one more case registered under Section 420 IPC.
4. Having regard to 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 08.07.2021 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.

18.11.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**