

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-29451-2021 (O&M)

Date of Decision:-10.11.2021

Malkiat Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajan Singh Dadwal, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by HC Gurpreet Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.171 dated 4.11.2020 at Police Station Sidhwan Bet, District Ludhiana (Rural) under Sections 61 and 78(2) of Punjab Excise Act, 1914.
2. At the time of issuance of notice of motion on 28.7.2021, the following order was passed:

“Learned counsel for the petitioner contends that the FIR in question was lodged pursuant to receipt of secret information to the effect that one Jaswant Singh along with 3 other persons were distilling illicit liquor near the bank of Satluj river. Pursuant to receipt of aforesaid information a raid was conducted at the nominated place and 40 bottles of illicit liquor apart from 1600 litres of *Lahan* were recovered but neither Jaswant Singh nor anybody else was apprehended at the spot.

Learned counsel for the petitioner has submitted that Jaswant Singh who is specifically named in the FIR has already been granted anticipatory bail by this Court vide order dated 9.4.2021.

Notice of motion for 10.11.2021.

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 from HC Gurpreet Singh, 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 is not involved in any other case.
4. In view of the aforestated position, wherein the petitioner is stated to have joined investigation and is not even stated to be required for any custodial interrogation and is not involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 28.7.2021 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.

10.11.2021

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No