

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

**CRM-M-29740-2021
Date of Decision :20.12.2021**

Kewal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manipal Goyal, Advocate for
Mr. Preet Kamal Singh, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.0083, dated 10.07.2021, under Section 61 of Excise Act, registered at Police Station Nehianwala, District Bathinda.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court dated 24.09.2021. Order dated 24.09.2021 is as under:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 83, dated 10.7.2021 registered under Section 61 of Excise Act at Police Station Nehianwala, District Bathinda.

The allegations in FIR are that on receipt of secret information, house of petitioner was raided and 110 liters lahan was recovered. Petitioner was however not present at the time when recovery was effected.

As per reply filed by State, 1 more case under the Excise Act i.e. FIR No. 122 dated 1.12.2004 was registered under Section 61/1/14 of Excise Act at Police Station Kotbhai, District Sri Muktsar Sahib in which he was convicted for 6 months alongwith fine of Rs. 500/-.

Mr. Phoolka, learned counsel for petitioner states that said case relates to the year 2004. Thereafter, petitioner was not involved in any case under Excise Act. The recovery has

already been effected. He is ready and willing to join investigation and cooperate in same.

Notice of motion.

Mr. Karanbir Singh, AAG Punjab accepts notice on behalf of State.

Adjourned to 20.12.2021.

In the meanwhile, in the event of arrest of petitioner, he shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from ASI Balkar Singh, states that in terms of the order of this Court reproduced herein before, the petitioner has joined the investigation and the challan has been presented and no further interrogation is required.

In view of the above, the order dated 24.09.2021 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.

The petition stands disposed of.

20.12.2021
hemlata

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No