

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 212

CRM-M-33971-2021

Date of decision : 27.10.2021

Atma Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.N.S.Sidhu, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.127 dated 21.07.2021 registered under Sections 61/78 of the Punjab Excise Act, 1914 at Police Station Sangat, District Bathinda.

On 20.08.2021 this Court passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case due to political rivalry; the only evidence against the petitioner is the alleged disclosure statement made by a co-accused in police custody which is not admissible under Section 25 of the Indian Evidence Act, 1872; the petitioner has no criminal antecedents; no recovery has been made from the petitioner and that the petitioner is also ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Mr.J.S.Ghumman, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 27.10.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.127, dated 21.07.2021, registered under Sections 61/78 Punjab Excise Act, 1914 at Police Station Sangat, District Bathinda, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore
quoted order the petitioner has joined the investigation; has cooperated with
the investigating agency and that his custodial interrogation is not required
by the State.

In view of the above, the order of this Court dated 20.08.2021,
granting ad interim anticipatory bail to the petitioner is made absolute.

27.10.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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