

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

CRM-M-29089-2020

Date of decision:19.01.2021

Gurpreet Singh alias Kana

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sunil Kumar Dhanda, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No.59 dated 13.03.2020 registered under Sections 61 and 78 of the Punjab Excise Act, 1914, at Police Station Talwandi Sabo, District Bathinda.

On 25.09.2020, this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No.59 dated 13.03.2020 registered under Sections 61 and 78 of the Punjab Excise Act, 1914, at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. The alleged recovery of 35 bottles of liquor each from two plastic sacks, was effected from the co-accused. The petitioner was neither arrested at the spot, nor any recovery was effected from him and no other case is pending against him. Moreover, co-accused Gurdit Singh and Amritpal Singh, who were arrested at the spot, have already been granted bail by the learned trial Court.

Notice of motion.

On the asking of this Court, Ms. Monika Jalota, DAG Punjab, accepts notice on behalf of the respondent-State and on the instructions from HC Bhupender Singh does not dispute the fact that the petitioner was not arrested at the spot, two co-accused have already been granted bail by the learned trial Court and no other case is pending against the petitioner.

Adjourned to 19.01.2021.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that pursuant to the order dated 25.09.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gobind Singh, submits that the petitioner has joined the investigation and is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 25.09.2020 passed by this Court granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

19.01.2021
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No