

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

CRM-M-30773-2020

Date of decision:22.01.2021

Ajmer Singh and another

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.S. Sekhon, Advocate for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The prayer in the present petition is for grant of anticipatory bail to the petitioners in case bearing FIR No.237 dated 04.09.2020 registered under Section 61 of the Punjab Excise Act, 1914, at Police Station City Sunam, District Sangrur.

On 01.10.2020, this Court passed the following order:-

“Case is taken up for hearing through Video Conferencing.

The prayer in the present petition is for grant of anticipatory bail in case FIR No.237 dated 04.09.2020 registered under Section 61 of the Punjab Excise Act, 1914, at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioners states that the raid was conducted on a secret information; that the petitioners were not arrested from the spot and that the recovery is of 252 bottles of liquor make `Malta Haryana'. It is further stated that no independent witness had been joined by the police and house in question is a joint family ancestral house.

Notice of motion.

On the asking of this Court, Mr. Pawan Sharda, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State. He, on instructions from H.C. Sikender Singh, states that there is no other case pending against the petitioner. He

further states that the recovery was effected from the house of petitioner No.1.

Adjourned to 22.01.2021.

Meanwhile, the petitioners are directed to join the investigation and if they are sought to be arrested, they 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 petitioners submits that pursuant to the order dated 01.10.2020 passed by this Court, the petitioners have joined the investigation.

Learned State counsel, on instructions from HC Sikender Singh, submits that the petitioners have joined the investigation and are not required for any further investigation. He further states that petitioner No.2 is also involved in two more cases i.e. one FIR No.251 dated 26.09.2020 under the Excise Act and another under the IPC.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 01.10.2020 passed by this Court granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

22.01.2021
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(HARNARESH SINGH GILL)
JUDGE

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