

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

CRM-M-36108-2020

Date of decision:15.02.2021

Harjit Singh alias Kali

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.199 dated 18.09.2020, registered at Police Station Khilchian, District Amritsar, under Section 61 of the Punjab Excise Act, 1914.

On 05.11.2020, this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.199 dated 18.09.2020, registered at Police Station Khilchian, District Amritsar, under Section 61 of the Punjab Excise Act, 1914.

Learned counsel for the petitioner contends that although a raid was conducted by the police party consisting of four officials, including two ASIs, on the basis of some secret information, yet the petitioner was not arrested at the spot. As per the prosecution version, the petitioner ran away into the rice crop. The allegation against the petitioner is that a plastic can containing illicit liquor was recovered from the place in front of his house.

Notice of motion.

On the asking of this Court, Mr. M.S.Nagra, AAG, Punjab, accepts notice on behalf of the respondent-State and submits that the petitioner is involved in two other cases registered under the Excise Act in which he has already been enlarged on bail.

Adjourned to 15.02.2021.

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) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the order dated 05.11.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Shamsher 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 05.11.2020 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.

15.02.2021
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(HARNARESH SINGH GILL)
JUDGE

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