

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

101

CRM-M No.36190 of 2020
Date of Decision: April 15, 2021

Pappu Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR JUSTICE VIVEK PURI

Present: Mr.Gurdarshan Singh Sidhu, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

*(The case has been taken up through video conferencing on account
of Covid-19 Pandemic)*

VIVEK PURI, J. (Oral)

On 05.11.2020, following order was passed:-

“Petitioner Pappu Kumar stated to be aged 21 years has filed the present petition inter alia with a prayer for grant of anticipatory bail in case FIR No.134 dated 22.09.2020 under Sections 61/78 of Punjab Excise Act, 1914 and Section 473 IPC registered at PS Raman, District Bathinda.

Learned counsel for the petitioner by making reference to the allegations in the FIR submits that in fact the FIR is primarily against Gurjant Singh @ Janta who has since been arrested. He further submits that there is allegation in the FIR that Gurjant Singh used to bring liquor at cheaper rates from Satpal Singh @ Sattu – the liquor contractor and Pappu (the present petitioner). He further submits that the contractor Satpal Singh @ Sattu has since been granted regular bail by the Sessions Court on 20.10.2020 (P2).

Learned State counsel submits that in the order dated 20.10.2020, it has been so recorded by the Additional Sessions Judge, Bathinda that the allegations against the petitioner herein are that he was conniving with the co accused Gurjant Singh with the help of Sukhwinder Singh contractor.

Faced with this, learned counsel for the petitioner submits that the petitioner has only been serving as an employee with contractor Satpal Singh @ Sattu. He further submits that the petitioner is ready to join the investigation and due to COVID situation, his retention behind the bars would be dangerous to his life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the investigation and appear before the Investigating Officer.

List on 15.04.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) CrPC.”

It has been stated by learned counsel for the petitioner that in pursuance of the interim directions issued by this Court on 05.11.2020, the petitioner has joined the investigation and nothing has to be recovered from him.

Learned State counsel, on instructions from ASI Randhawa Singh, has not disputed the aforesaid factual aspects.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted to the petitioner by this Court order dated 05.11.2020 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

April 15, 2021
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No