

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

**CRM-M-41684-2020
Date of decision: 26.08.2021**

Sukhwant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. H. S. Multani, AAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 167 dated 18.07.2020, registered under Section 61 of the Excise Act, 1914 at Police Station Mehatpur, Jalandhar.

The operative part of the order dated 11.12.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner, while contending that he has been falsely implicated in the present case, as no recoveries were made from him and any recovery made, has been plated upon him. It is also argued that a wrong observation has been made by the Sessions Court in observing that the petitioner is in the business of selling illicit liquor, as no case is pending against him.

Notice of motion.

At this stage, Ms. Bhavna Gupta, DAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. On the

asking of the court, on instructions from SI Sarabjit Singh, she informed that there is no case pending against the petitioner.

Adjourned to 07.05.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 11.12.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 11.12.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

26.08.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No