

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-63-2021 (O&M)
Date of Decision:-24.8.2021

Kiran Kaur @ Baggo Kaur and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurvesh Singh Khokhar, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Joginder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.62 dated 3.4.2020 at Police Station Maur, District Bathinda under Section 61 of Punjab Excise Act, 1914.
2. At the time of issuance of notice of motion on 6.1.2021, the following order was passed:

“Learned counsel for the petitioners submits that it is a case where the petitioners were never ever arrested at the spot and that the alleged recovery of 40 liters of Lahan and some parts of the still have falsely been shown to have been recovered from their house.

Notice of motion for 5.5.2021.

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

3. Learned State counsel, upon instructions from SI Joginder Singh, has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and that they are not even wanted in any other case.
4. Having regard to the aforesaid factual position, wherein the petitioners were never arrested at the spot and are stated to have joined investigation and have a clean record, their custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 6.1.2021 are hereby made absolute, subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

24.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No