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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46903-2019 (O&M)
Date of decision-04.08.2021

RAJDEEP SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pardeep Singh Mirpur, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.80 dated 10.10.2019 under Sections 61 & 78 Punjab Excise Act, 1914, registered at Police Station Nandgarh, District Bathinda. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 13.11.2019, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“CRM-33958-2019

Application is allowed, subject to all just exceptions.

CRM-M-46903-2019

Learned counsel for the petitioner contends that recovery of the alleged liquor was effected from a

car bearing No. DL-4-CL-5004 and as per the allegation, the driver of the vehicle ran away from the spot. He submits that the petitioner is neither named in the FIR nor the vehicle in question belongs to him. He points out that the petitioner is not involved in any other case and in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 25.03.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Jaswinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being. Learned State counsel further states that challan has also presented in the Court.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 13.11.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

04.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No