

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-1948-2022 (O & M)

Date of decision: 18.02.2022

Amandeep Singh alias Amni

..... Petitioner

V/s

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. J.K. Singla, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.126 dated 22.12.2021 under Section 61 of the Punjab Excise Act, 1914 (Act No.1/1914) registered with Police Station Joga, District Mansa.

On 18.01.2022, following order was passed by the co-ordinate Bench of this Court:-

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 126 dated 22.12.2021, under Section 61 of the Punjab Excise Act, 1914 (‘Excise Act’ - for short), registered at Police Station Joga, District Mansa.

Learned counsel for the petitioner contends that it is alleged that 200 litres of ‘lahan’ was allegedly recovered from the motor room in the agricultural fields of the petitioner. He, however, contends that the petitioner was not present at the spot. He is not involved in any other case under the Excise Act.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 18.02.2022.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C. ”

A short reply by way of affidavit of Gobinder Singh, Deputy Superintendent of Police, Sub-Division Mansa, District Mansa, has been filed on behalf of the respondent-State detailing the facts of the case. The learned State counsel on instructions from H.C. Balwinder Singh submits that the petitioner has joined investigation in terms of orders dated 18.01.2022 and is not required for custodial interrogation.

In this view of the matter, interim order dated 18.01.2022 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

February 18, 2022
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No