

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

201

CRM-M-2389-2022 (O&M)

Date of Decision: 17.10.2022

Jagroop Singh @ Joopa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. N.S.Dadwal, Advocate,
for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Harjinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.0279 dated 21.12.2021 at Police Station City Jagraon, District Ludhiana Rural, under Sections 61/78(2) of the Punjab Excise Act.
2. At the time of issuance of notice of motion on 21.01.2022, this Court passed the following order:

“Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.279, dated 21.12.2021, having been registered at Police Station City Jagraon, District Ludhiana Rural, alleging therein the commission of an offence punishable under Sections 61 and 78(2) of the Punjab Excise Act.

Learned counsel for the petitioner submits that though the petitioner has been named in the FIR on allegedly secret information received by the investigating agency, admittedly he was not present at the spot and that his name also has been allegedly disclosed by co-accused Amarjit

Singh, who was alleged to have been apprehended at the spot with illicit/ illegal liquor (as per the investigating agency).

Notice of motion.

At the asking of the Court, Mr. Rana Harjasdeep Singh, DAG, Punjab, accepts notice on behalf of the respondent-State and submits that as per the instruction, the petitioner was present at the spot but fled away upon seeing the police party.

In the meanwhile, the petitioner is directed to join investigation within a week and upon him so joining, in case he is sought to be arrested, he shall be released on interim bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the Arresting officer/Duty Magistrate, till the next date of hearing.

He shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C. If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

Adjourned to 23.03.2022.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner is involved in 4 other cases and that challan stands presented.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any further custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 21.01.2022 are hereby made absolute subject to the condition that the petitioner 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.

17.10.2022
Vimal

(GURVINDER SINGH GILL)
JUDGE

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