

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

CRM-M-3684-2022

Date of Decision: 08.09.2022

Prem Singh and another

.....Petitioners

Vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Chandan Singh Rana, Advocate,
for the petitioners.

Mr. Tarun Aggarwal, Sr. D.A.G., Punjab.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No. 211, dated 27.12.2021, under Sections 61/1/14 of the Punjab Exicse Act, registered at Police Station Sidhwan Bet, District Ludhiana (Rural).

On 31.01.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“The matter has been taken up through video conferencing. Learned counsel for the petitioners inter alia contends that the petitioners have been falsely implicated in this case; the story of the prosecution is false on the face of it as in the presence of so many policemen the petitioners are alleged to have run away from the spot; no recovery of the alleged illicit liquor/Lahan is made from the petitioners; the petitioners are sought to be implicated in this case only on the basis of a secret information which is unverified

and unsubstantiated and that the petitioners are also ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Mr. Rehatbir Singh Mann, DAG, Punjab accepts notice on behalf of the respondent-State.

For arguments, adjourned to 16.05.2022.

To be heard along with CRM-M-2079-2021.

Till the adjourned date the petitioners' arrest is stayed.

Before the adjourned date the State shall file a status report.

(DEEPAK SIBAL)
JUDGE

31.01.2022”

Thereafter, on 11.07.2022, the following order had been passed by this court:-

“Learned State counsel, on instructions from ASI Balwinder Singh, has pointed out that in the present case, in spite of the order dated 16.05.2022 passed by this Court, the petitioners have not joined the investigation.

Learned counsel for the petitioners has submitted that the petitioners would join the investigation.

Accordingly, the petitioners are directed to join the investigation on 18.07.2022 at 11.00 AM.

Adjourned to 09.08.2022.

Interim order to continue.”

Learned counsel for the petitioners has submitted that in pursuance of the above-said order, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Balwinder Singh, has submitted that the petitioners have joined the investigation and are not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 31.01.2022 and also the fact that the petitioners have joined the investigation and are not required for further custodial interrogation, the present petition is allowed and the interim order dated 16.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

September 08, 2022
nitin

(VIKAS BAHL)
JUDGE

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