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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5470-2020 (O&M)
Date of Decision:05.07.2022

Jora Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gaurav Singla, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.69 dated 15.06.2019 registered under Sections 61/78/1/14 Excise Act, 1914 at Police Station Chhajli, District Sangrur, who apprehends his arrest at the hands of Police.

On 07.02.2020, this Court had passed the following order:

“Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No. 69 dated 15.06.2019 registered under Section 61 of the Excise Act, 1914 at Police Station Chhajli, District Sangrur.

According to prosecution, on the basis of secret information car bearing registration Nos. HR-26-K-7128 and PB04-K-1701, were intercepted. Co-accused of petitioner, namely; Harwinder Singh @ Pinder and Prem Singh were apprehended at the spot with 300 bottles of country-made liquor, manufactured in Haryana. In their disclosure statement, they named the petitioner as one of their associate.

Learned counsel inter alia contends hat petitioner was not apprehended at the sport. He has falsely been implicated in the instant case, on the basis of disclosure statement suffered by his co-accused, which is a very weak type of evidence.

Notice of motion for 29.04.2020.

In the meanwhile, the petitioner is directed to join investigation as and when called by the Investigating Officer. In the event of arrest, he shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. He shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel, who is instructed by HC Khushwinder Singh, states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 07.02.2020 is made absolute.

05.07.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No