

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7306-2022 (O&M)
Date of Decision:-22.8.2022

Jaspal Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Singla, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Kulwant Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.18 dated 23.1.2022, Police Station Patran, District Patiala, Punjab under Sections 61, 78(2) of Punjab Excise Act, 1914.
2. At the time of issuance of notice of motion, the following order was passed on 22.2.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.18 dated 23.1.2022, Police Station Patran, District Patiala, Punjab under Sections 61, 78(2) of Punjab Excise Act, 1914.

The FIR in question came to be lodged pursuant to receipt of secret information by the police to the effect that Amandeep Singh

@ Amni indulged in smuggling of liquor and used to bring the liquor from Haryana so as to sell the same in Punjab. It is the case of prosecution that pursuant to receipt of said information, the aforesaid Amandeep Singh @ Amni was apprehended by the police while he was bringing country made liquor in his car bearing registration No.DL-8X-1068. Upon search of the car in question, 47 boxes of country made liquor (total 564 bottles) were recovered. It is further the case of prosecution that during the course of interrogation, said Amandeep Singh @ Amni disclosed that he had procured the country made liquor from Jaspal Singh (petitioner) and from one Preet Singh.

Learned counsel for the petitioner submitted that the petitioner was never ever found at the spot when Amandeep Singh @ Amni was arrested and country made liquor was recovered from him and that he was nominated on the basis of a disclosure statement made by Amandeep Singh @ Amni, the veracity and admissibility of which would be debatable.

Notice of motion for 22.8.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

3. Learned State counsel, upon instructions from ASI Kulwant Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. It has also been informed that the petitioner is not involved in any other case.
4. Having regard to the fact that the petitioner has already joined investigation and is not required for any custodial interrogation and that he is not involved

in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 22.2.2022 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.

22.8.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No