

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

CRM-M-8417-2022 (O&M)
Date of Decision:-5.9.2022

Jagir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Manjit Kaur Saini, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by SI Jasvir 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.0213, dated 17.8.2021, Police Station Lopoke, District Amritsar Rural, under Section 61 of Punjab Excise Act and Sections 186, 353, 332 and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 28.2.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.213, dated 17.8.2021, Police Station Lopoke, District Amritsar Rural, under Section 61 of Punjab Excise Act and Sections 186, 353, 332, 34 IPC.

As per the case of prosecution, upon receipt of secret information to the effect that Jagir Singh and his son Harjit Singh are into business of distilling and selling illicit liquor, a raid was conducted at the house of Jagir Singh and Harjit Singh who were into the process of preparing illicit liquor. It is alleged that both the said persons upon noticing the police party picked up sticks lying nearby and while raising *lalkara* attacked the police party causing injury to a finger on the right hand of Lady Constable Rajwinder Kaur. It is also alleged that said persons also tore shirt of HC Sarnbir Singh. It is alleged that while Harjit Singh was caught at the spot, Jagir Singh ran away from the spot.

Learned counsel for the petitioner has submitted that the allegations, as levelled in the FIR do not sound probable inasmuch as it is highly unlikely that two persons would attack a police party and would also cause injuries to them while they themselves would not have sustained any injury.

Notice of motion for 5.9.2022.

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 the 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 SI Jasvir Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation

and he is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 28.2.2022 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.

5.9.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No