

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-18175-2022
Decided on :19.07.2022

Meehan Singh

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Prabhjot Singh, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 22 dated 13.02.2022 registered under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Sadar Patiala, District Patiala.

On 05.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner was not apprehended at the spot and no independent witness was joined and thus, the provisions of Section 100 of Cr.P.C. have been violated. It is further submitted that the police was in a private vehicle, details of which have not been mentioned. It is argued that no photography or videography of the place at the time of raid, had been carried out. It is further argued that the petitioner is not involved in any other case and at any rate, no further recovery is to be effected from the petitioner.

Notice of motion.

On asking of the Court, Mr. Sarabjit S. Cheema,

AAG, Punjab appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 19.07.2022.

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

Learned counsel for the petitioner has submitted that the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Kuldeep Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 05.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 05.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an 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.

(VIKAS BAHL)
JUDGE

19.07.2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No