

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

CRM-M-35872-2021 (O&M)
Date of Decision:-22.8.2022

Harjinder Singh @ Jinda ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ranjodh Singh Sidhu, Advocate for the petitioner.

Mr. Siddharth Atttri, AAG, Punjab,
assisted by ASI Daljit 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.133 dated 25.8.2020, Police Station Gharinda, District Amritsar, under Section 61 of Punjab Excise Act.
2. At the time of issuance of notice of motion, the following order was passed on 2.9.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.133 dated 25.8.2020 at Police Station Gharinda, District Amritsar under Section 61 of Punjab Excise Act.

Learned counsel for the petitioner submits that the petitioner is being sought to be implicated in a case on the basis of a secret information alleged to have been received by the police to the effect that the petitioner indulges in preparing and selling illicit liquor at his home.

As per case of the prosecution, pursuant to receipt of said information, a raid was conducted at residence of the petitioner and 20 bottles of illicit liquor and 100 kgs. of 'lahan' was recovered.

Learned counsel for the petitioner submits that it is highly unlikely that despite receipt of prior information, the petitioner could manage to escape when a raid was conducted at his house. It has further been submitted that, in any case, the recovery has already been effected and, as such, the petitioner would not be required for any kind of custodial interrogation.

Notice of motion for **16.2.2022**.

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 Daljit 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, however, been informed that the petitioner stands involved in one more case registered for offence under Excise Act.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the nature of allegations and the fact that the petitioner is stated to have joined investigation and is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 2.9.2021 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