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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-39068-2022
Date of decision : 15.09.2022

Baldev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Varun Sharma, Advocate for
Mr. Raghav Gulati, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.43 dated 01.06.2022 registered under Sections 61(1)/14 and 78(2) of the Punjab Excise Act, 1914 and Sections 170/171/419/465/467/468/471/474 of the Indian Penal Code, 1860 at Police Station Kheri Gandian, District Patiala, Punjab.

On 31.08.2022, this Court had passed the following order:-

“Learned Senior counsel for the petitioner inter alia contends that the petitioner has neither been named in the secret information, nor in the FIR and no recovery has been effected from him. It is further submitted that the petitioner is a partner in the liquor vend and there is no complaint of any nature against the present petitioner or their partners with respect to the same. It is contended that the liquor which has been recovered in the present case is not spurious liquor and the petitioner has been sought to be implicated solely on the basis of disclosure statement of co-accused persons namely Sarabjit Singh and Surinder Singh. It is further contended that in the

present case, recovery has already been effected and the petitioner is ready to join the investigation and would cooperate with the same.

Notice of motion for 15.09.2022.

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.

To be heard alongwith CRM-M-35222-2022.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 31.08.2022, the petitioner has joined the investigation.

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

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 31.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 31.08.2022 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.

15.09.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No