

S.No.205

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

CRM-M-44352-2021 (O&M)

Date of Decision:11.01.2022

Mohinder Pal Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. G.S. Jagpal, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.

This is first petition filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.145 dated 28.09.2021 registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Sadar Jagraon, District Ludhiana (Rural).

On 26.10.2021, this Court was pleased to pass the following order:-

Learned counsel for the petitioner inter alia contends that in the present case, raid has been conducted without complying with the provisions of Section 100(4) of Cr.P.C. and for the said purpose, reliance has been placed upon order dated 27.08.2021 passed in CRM-M-7648-2021. It is further submitted that the petitioner is Ex-Sarpanch owing allegiance to the previous ruling party and thus, the petitioner has been falsely implicated in the present case.

Notice of motion.

On asking of the Court, Mr. A.K. Kaundal, DAG,

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

Adjourned to 11.01.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to 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 and the State Counsel on instructions from SI Yuvraj, submit that the petitioner has joined the investigation on 03.11.2021 and is not further required for investigation.

Keeping in view the facts as noticed in the order dated 26.10.2021 and also the fact that the petitioner has joined the investigation and is not further required for investigation, the present petition is allowed and the interim order dated 26.10.2021 is made absolute.

January 11, 2022
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(VIKAS BAHL)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No