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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44929-2021 (O&M)
Date of Decision:25.02.2022

Rajinder Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Raman Goklaney, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.198 dated 23.07.2021 registered under Sections 61 and 78 Punjab Excise Act, 1914 at Police Station Sadar Fazilka, District Fazilka, who apprehends his arrest at the hands of Police.

On 28.10.2021, this Court had passed the following order:

“Learned counsel contends that the alleged recovery of 36 liquor bottles was effected from an abandoned vehicle bearing No.HR51-T-6222 and there is nothing to indicate the involvement of the petitioner in the said crime. According to him, the recovery has already been made, therefore, the custodial interrogation of the petitioner may not be necessary, as he is willing to join the investigation.

Notice of motion for 25.02.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner has stated that in compliance

of the above order, the petitioner associated himself in the investigation and

cooperated during interrogation.

Learned State counsel, who is instructed by ASI Tilak Raj, states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 28.10.2021 is made absolute.

25.02.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No