

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

CRM-M-48658-2021 (O&M)
Date of Decision:-23.5.2022

Jaswant Singh @ Sonu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Lakshay Bector, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

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. 151 dated 22.10.2021 under Section 61 of the Punjab Excise Act, 1914 at Police Station Boha, District Mansa.
2. This Court at the time of issuance of notice of motion on 22.11.2021 passed the following order :

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in the FIR registered under Section 61 of Punjab Excise Act.

Counsel for the petitioner herein contends that on the basis of secret information received that the petitioner is distilling illicit liquor, that the instant FIR has been registered. It is argued that the police has shown an alleged recovery of 17 liters of illicit liquor, without recovery or showing the recovery of any means to distill the same. It is stated that the petitioner herein was not apprehended at the spot, while contending that he has been falsely implicated in the present case due to political rivalry.

Notice of motion for 23.05.2022.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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.”

3. Learned State counsel, upon instructions from HC Amandeep Singh, has informed that pursuant to interim directions issued by this Court the petitioner has since joined investigation and is not required for any custodial interrogation. Learned State counsel has, however, also informed that the petitioner happens to be involved in two other identical cases under Excise Act.
4. Having heard the learned counsel for the parties and bearing in mind the facts and circumstances of the case and also that the petitioner has already joined investigation and is not required for any custodial interrogation, the present petition is accepted and the interim directions issued by this Court vide order dated 22.11.2021 are hereby made absolute, subject to the condition that the petitioner shall continue to 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.

23.5.2022

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No