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

CRM-M-54701-2021 (O&M)
Date of Decision:- 5.5.2022

Sonu Singh @ Soni and another … Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sukhveer Kaur, Advocate, for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Tarlok Singh.

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GURVINDER SINGH GILL, J. (Oral)

1. Petitioners namely Sonu Singh @ Soni and Gurmej Singh @ Geji, who are brothers, have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No. 271, dated 27.12.2020, Police Station Guru Harsahai, District Ferozepur, under Section 61-1-14 of Punjab Excise Act, 1914, wherein the allegations against them are broadly to the effect that pursuant to receipt of secret information a raid was conducted at the

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house of the petitioners and recovery of a working still alongwith 1000 litres of *lahan* and 25 bottles of illicit liquor has been effected therefrom.

2. Vide order dated 11.1.2022, the petitioners in the event of arrest, were ordered to be released on interim bail and they were directed to join investigation as and when directed to do so by the Investigating Officer.

3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that it is highly unlikely that despite receipt of secret information in advance, the police party was unable to apprehend any of the petitioners. Learned counsel has further submitted that the petitioners in any case have joined investigation and that in these circumstances their custody would not serve any useful purpose. .

4. Learned State counsel, upon instructions from ASI Tarlok Singh, has informed that pursuant to interim directions, the petitioners have joined investigation and are not required for custodial interrogation. It has however, been pointed out that petitioner No.1 Sonu Singh happens to be involved in three other identical cases while petitioner No.2-Gurmej Singh @ Geji is involved in one more identical case.

5. I have considered rival submissions addressed before this Court.

6. Having regard to the fact that the petitioners were not arrested at the spot and that pursuant to interim directions the petitioners have joined investigation and are not required for any custodial interrogation, the petition is accepted and the interim directions

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issued by this Court vide order dated 11.1.2022 is hereby made absolute subject to the condition that the petitioners 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.

5.5.2022 **(GURVINDER SINGH GILL)**
mohan **JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

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