

**208/2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-843-2023

Date of Decision: 09.02.2023

SUKHJINDER SINGH @ GANJU NAIH ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Prateek Pandit, Advocate, for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

VIVEK PURI, J.(ORAL)

On 09.01.2023, the following order was passed:-

“The petitioner is seeking anticipatory bail in the case bearing FIR No.160 dated 20.11.2022 under Section 61 of the Punjab Excise Act registered at Police Station Subhanpur, District Kapurthala.

Learned counsel for the petitioner contends that recovery of 540 kg of lahan was recovered from the place of occurrence. The petitioner was neither present at the spot nor the place of recovery is owned or possessed by him. The name of the petitioner has been mentioned in the FIR on the basis of the secret information only. The recovery has already been effected and the similarly placed co-accused, namely, Harpreet Singh @ Parri has been granted interim bail in terms of the order dated 22.12.2022 passed in CRM-M-59879-2022. He further submits that though the petitioner is involved in two other cases under the Excise Act, but on bail on those cases.

Notice of motion.

Ms.Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 09.02.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.

To be heard alongwith CRM-M-59879-2022”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Lakhvir Singh, has not disputed the aforesaid factual aspect(s) and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 09.01.2023, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

09.02.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No