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

CRM-M-17164-2023 (O&M)

Date of Decision: 13.07.2023

Amarjeet Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sahil Soi, Advocate for the petitioner.

Mr. Sandeep Kumar, 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.132 dated 01.08.2021 registered under Section 61 Punjab Excise Act, 1914 at Police Station Shahkot, District Jalandhar (Rural), who apprehends his arrest at the hands of Police.

On 12.04.2023, this Court had passed the following order:

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.132, dated 01.08.2021, under Sections 61 of Punjab Excise Act, 1914, registered at Police Station Shahkot, District Jalandhar Rural.

Learned counsel for the petitioner contends that the version in the FIR is concocted as no cogent material or evidence is available to involve the petitioner in the commissioning of offence i.e., producing-manufacturing illicit liquor in Sutlej river near the big electricity tower, which is a huge quantity recovered i.e., 165 liters in two drums. He has also contended that the co-accused person namely Surjit Singh @ Seetu has been granted the concession of anticipatory bail by this Court vide order dated 28.10.2021 (Annexure P-3) by this Court passed in CRM-M-44930-2021.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondent-State, who

submits that it is huge quantity of illicit liquor recovered from the spot, wherein the petitioner was manufacturing the same in connivance with the other co-accused. He further submits that nothing is to be recovered from the petitioner and custodial interrogation of the petitioner is not required.

Considering the fact that custodial interrogation of the petitioner is not required at this stage, as nothing is to be recovered from the petitioner as the material used for the same has been already taken into possession from the spot, as has been submitted by learned State counsel, apart from the fact that co-accused Surjit Singh @ Seetu has been granted concession of anticipatory bail, which is also not in dispute, the petitioner is directed to be released on interim bail subject to the satisfaction of Arresting Officer/Investigating Officer, on his joining investigation as and when called for and cooperate in investigation and also shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 13.07.2023.”

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 Kashmir Singh, 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 12.04.2023 is made absolute.

13.07.2023
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No