

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

**CRM-M-30461-2023 (O&M)
Date of decision : 28.08.2023**

Gurjant Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.38 dated 21.05.2023, under Sections 61/1/14 of the Punjab Excise Act, 1914, registered at Police Station Hathur, District Ludhiana.

(2) It transpires that above FIR was registered by ASI Sulakhan Singh received a secret information that petitioner along with his brother/co-accused, namely, Paramjit Singh @ Pamma dealt in manufacturing of illicit liquor (*Lahan*). On raid, 40 litres of *Lahan* was recovered from the possession of co-accused Paramjit Singh from his house; whereas petitioner

was allegedly fled away from the spot and his name was disclosed by aforesaid co-accused.

(3) This Court, while issuing notice of motion on 14.06.2023, granted interim bail to petitioner and the same reads as under:-

“Notice of motion for 31.07.2023.

On asking of the Court, Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent and seeks time to have instructions or file response in the matter.

Requisite copies of paper-book be supplied to learned State Counsel during the course of day.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

(4) Learned State Counsel, on instructions from ASI Sulakhan Singh, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(5) In view of above, interim order dated 14.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(6) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(7) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(8) Disposed off accordingly.

August 28th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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