

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

203

CRM-M-47438-2022

Date of decision: 13.02.2023

Ramroop Tayal

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rahul Rana, Advocate for
Mr. Aashish Bishnoi, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.171 dated 28.07.2022 under Section 61 of the Excise Act, 1914 registered at Police Station Focal Point, District Ludhiana.

On the last date of hearing, the following order was passed by this Court with directions to the petitioner to join investigation:-

“Learned counsel for the petitioner submits that in the present case total 60 bottles of liquor have been recovered from house of the petitioner. Learned counsel further submits that recovery has already been effected so custodial interrogation is not going to serve any purpose. Learned counsel also argues that even provision of Section 100(4) Cr.P.C. has not been complied with while conducting raid.”

Learned counsel appearing for the petitioner submits that pursuant to order dated 17.10.2022, the petitioner had joined investigation and cooperated with the investigating agency.

Learned counsel appearing for the State, on instructions, does not dispute the submissions made by the counsel opposite and on

further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 17.10.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

13.02.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No