

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

**CRM-M-46294-2023 (O&M)
Date of decision : 11.10.2023**

Joban Singh @ Jagroop Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vinod K. Kaushal, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab
for the respondent-State.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.65 dated 04.05.2023, under Section 61 of Punjab Excise Act, 1914, registered at Police Station Chattiwind, District Amritsar Rural, Amritsar.

(2) Allegations are that 300 kg *lahan* was recovered from the possession of petitioner without any permit or license.

(3) This Court vide order dated 15.09.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter-alia that recovery of the alleged contraband has already been effected and petitioner is ready to join the investigation.

Notice of motion for 11.10.2023.

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 Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Balwinder Lal, submits that petitioner has joined investigation and his custodial interrogation is not required.

(6) In view of above, interim order dated 15.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

(8) 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.

(9) Disposed off accordingly.

11.10.2023

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No