

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-50730-2022

Date of decision : 20.01.2023

Lachmi @ Lashi

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Mikhail Kad, Advocate, for the petitioner.

Mr.Arun Luthra, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.222 dated 29.09.2022 registered under Section 61 of the Excise Act, 1914 at Police Station City Sunam, District Sangrur.

On 02.11.2022 this Court had passed the following order: -

“Lawyers are abstaining from work today.

However, from a perusal of the pleadings and the orders passed by the learned Additional Sessions Judge, Sangrur, it can be seen that the allegation against the petitioner who is a lady of the age of 27 years is that there has been a confiscation of 25 bottles of country made liquor from her. Earlier interim bail was granted to her by the learned Additional Sessions Judge but thereafter the same was dismissed because as per order dated 19.10.2022 she did not join the investigation.

Notice of motion.

At this stage, HC Gurmeet Singh who is present in the Court has stated that when the petitioner was granted interim bail, she did not join investigation. On a query being asked to the aforesaid official as to whether any written notice was given to her for joining of investigation or not, he stated that no written notice was given.

In view of the above, this Court is of the view that the petitioner who is a lady of the age of 27 years can be granted another opportunity for joining of investigation since the subject matter of the present case is 25 bottles of country made liquor which was manufactured in Haryana.

Adjourned to 20.01.2023.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of her arrest, she shall be released on bail by the Arresting/Investigating Officer on her furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C. ”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, the order of this Court dated 02.11.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

20.01.2023
shamsher

Whether speaking/reasoned

Whether reportable

:

:

Yes / No

Yes / No

[DEEPAK SIBAL]
JUDGE