

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52060-2023 (O&M)
Date of decision : 30.11.2023

Satnam Singh @ Sonu

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Manjot Singh Rai, Advocate for the petitioner.

Mr. C.L.Pawar, Addl. A.G., Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.33 dated 09.05.2023, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Verowal, District Tarn Taran.

(2) Above FIR was registered with the allegations that on 09.05.2023, 120 Kg. *Lahan* and 40 bottles of illicit liquor were recovered from the house of petitioner, who along with other co-accused on seeing the police party fled away from the spot.

(3) This Court, while issuing notice of motion on 13.10.2023, granted interim bail to petitioner and the same reads as under:-

“Contends that recovery of alleged contraband has already been effected. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 30.11.2023.

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 the 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 Baljinder Singh, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of the above, interim order dated 13.10.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (7) It is also made clear that petitioner 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.
- (10) Pending application(s), if any, shall also stand disposed off.

November 30, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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