



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM -M-26141-2024  
Date of Decision : **July 30, 2024**

KASHMIR SINGH ALIAS SONU

.....Petitioner

**VERSUS**

STATE OF PUNJAB

.....Respondent

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Ramnish Puri, Advocate for the petitioner.  
Mr. Sahil R. Bakshi, AAG, Punjab.

**KULDEEP TIWARI, J. (Oral)**

1. On the last date of hearing, i.e.23.5.2024, the following hereinafter extracted order was passed:-

*“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of pre-arrest bail, in case FIR No.67 dated 24.03.2024, under Section 61 of the Punjab Excise Act, 1914, registered at P.S. Jandiala, District Amritsar.*

*2. Succinctly stated, the genesis of the present FIR is embodied in a secret information regarding distillation of illicit liquor by the petitioner. On receipt of this information, a raid was conducted at the house of the petitioner, whereupon, a can containing 30 bottles of illicit liquor was recovered, whereas, petitioner escaped from the spot.*

*3. The learned counsel for the petitioner, in his asking for the relief (supra), submits that the petitioner is quite innocent and has been falsely implicated in the present FIR. Except the secret information, the investigating agency is not seized of any cogent material/evidence, thus indicative of petitioner's involvement in the alleged crime, and/or, thus establishing any link between the*



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*petitioner and the allegedly recovered illicit liquor. Moreover, the recovery alleged to have been effected from the house of the petitioner is itself doubtful.*

*4. Notice of motion for 30.07.2024.*

*5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.*

*6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”*

2. Today, the learned State counsel on instructions imparted to him by ASI Balkar Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 23.5.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

July 30, 2024  
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(KULDEEP TIWARI)  
JUDGE

Whether speaking/reasoned. : Yes/No  
Whether Reportable. : Yes/No