



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-31273-2024

Date of Decision : August 28, 2024

SUKHRAJ @ SUKHRAJ SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 04.07.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.77 dated 31.05.2024, under Section 61 of the Punjab Excise Act, 1914, registered at P.S. Shahkot, District Jalandhar Rural.

2. Succinctly stated, initially four bottles of illicit liquor were recovered from a car, which is alleged to be belonging to the petitioner. On measuring, the quantity of the recovered illicit liquor came to be:- 9 bottles (measuring 750 ml each) and 1 bottle (measuring 570 ml).



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A sample of 180 ml was also taken out from the initially recovered four bottles of illicit liquor.

3. The learned counsel for the petitioner submits that neither any recovery was effected from the petitioner, nor the car, wherefrom recovery was effected, belongs to the petitioner. The petitioner is neither owner of the said car, nor ever possessed it.

4. Notice of motion for 28.08.2024.

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

6. Although the petitioner is stated to be involved in three more cases under the Excise Act, however, considering the nature of allegations in the present case and the material/evidence available with the investigating agency at this stage, this Court deems it appropriate to grant the asked for relief.

7. Therefore, 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 has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.



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3. In view of the above, the hereinabove extracted interim order dated 04.07.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

August 28, 2024
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(KULDEEP TIWARI)
JUDGE

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