



CRM-M- 34690-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M- 34690-2024
Date of decision: 31.08.2024

Daljeet Singh @ HappyPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. P.F. Saini, Advocate,
for Mr. Atul Goyal, Advocate,
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C,
the petitioner seek anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
90	29.06.2024	61 of the Punjab Excise Act, 1914	Macchiwara Sahib, Police District Khanna

2. Learned counsel for the petitioner submits that in
compliance to the order dated 07.08.2024, the petitioner has joined the
investigation.

3. During the course of hearing on 07.08.2024, following
order has been passed: -



'It is, inter alia, contended by learned counsel for the petitioner that the premises from which the alleged recovery has been effected, in fact, happens to be the old abandoned house of the petitioner although owned by him but the petitioner is residing at a distance of 6 km from the said place. His abandoned house is in possession of his servant namely Narinder Singh and the petitioner is not aware of any Act conducted by Narinder Singh therein. Investigating Officer of the case ASI Sanjeev Kumar, P.S. Macchiwara Sahib, District Khanna, who is present in Court has not disputed the fact that the place of alleged recovery is at a distance of 6 km from the house of the petitioner. He also admitted that the petitioner is not having any other case registered under Punjab Excise Act.

3. In these circumstances, without commenting on the merits of the case, it is deemed appropriate that the petitioner should join investigation first before deciding the petition on merits. Therefore, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

4. List on 31.08.2024.'

4. Learned State counsel on instructions received from ASI Sanjeev Kumar, informs the Court that the petitioner has joined the



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investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 07.08.2024 passed by this Court, interim bail granted vide order dated 07.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

31.08.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |