

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-39577-2023

Date of decision: 23.01.2024

Gurlal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Prince Sharma, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.54 dated 07.05.2023 under Sections 61 of the Punjab Excise Act, 1914 registered at Police Station Valtoha, District Tehsil Patti, District Tarn Taran.

2. Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the case in hand and a false recovery of 300 litres of lahan, and 5 bottles of illicit liquor planted upon him which was allegedly recovered from his house. Learned counsel submits that initially vide order dated 21.06.2023, the Ld. ASJ while granting the concession of interim bail, had directed the petitioner to join investigation; in compliance of the abovementioned order, the petitioner had time and again visited the police station but could not join the investigation due to the unavailability of the investigating officer, and, therefore, his interim bail was not made absolute. In his support he has drawn the attention of this Court to Annexures P-3 and

P-4. Learned counsel submits that the petitioner has clean antecedents as he is not involved in any other criminal case. He further submits that in compliance of order dated 11.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

3. Learned State counsel, on instructions from ASI Narinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation. It has also not been disputed that the petitioner is not involved in any other criminal case.

4. In the circumstances, the petition is allowed and interim order dated 11.08.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

23.01.2024

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No