

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M No.45209 of 2023**

Date of decision: 15<sup>th</sup> February, 2024

Harbind Singh @ Harwind Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Lakshay Bector, Advocate for the petitioner.

Mr. Amandeep S. Samra, Asst. Advocate General, Punjab  
for the respondent/State.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0062 dated 04.06.2023 for the offence under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Sadar Raikot, District Ludhiana Rural.

2. On the last date of hearing, i.e. 14.11.2023, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation in view of the following submissions made by learned counsel for the petitioner on 12.09.2023:

*“Learned counsel for the petitioner inter alia contends that a recovery of 80 bottles of liquor was allegedly effected from the house of the petitioner pursuant to some secret information received by the police. He submits that a highly improbable version has been brought forth in the FIR in question that when the*

*raiding party arrived at the house of the petitioner, he fled away from the spot. He submits that it could not have been possible for the petitioner to flee in the presence of a large posse of police officials at his house, which clearly hinted towards his false implication in the case in hand, more so when it was a matter of record that he had no criminal antecedents.”*

3. Learned counsel for the petitioner submits that in compliance of the order dated 14.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Jagdeep 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.

5. In the circumstances, the petition is allowed and the interim order dated 14.11.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)  
JUDGE

February 15, 2024  
rps

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |