

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-56668-2023
Date of decision: 15.01.2024

CHAMKILA SINGH AND ANRPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Varinder Basa, Advocate for the petitioners.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of Code of Criminal Procedure, 1973, petitioner No.2- Sukhwinder Singh seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
38	23.09.2023	61, 78(2) of The Punjab Excise Act, 1914 and Sections 420, 465, 467, 468 and 471 of IPC.	Nangal Bhoor, District Pathankot, Punjab.

2. Learned counsel for the petitioners submits that the bail application qua petitioner No.1, namely Chamkila Singh, has already been dismissed as withdrawn. He further submits that in compliance to the order dated 14.12.2023 passed by this Court, the petitioner No.2- Sukhwinder Singh, has already joined the investigation and as such prayed for confirming the interim bail granted vide order 14.12.2023.

3. Learned State counsel, on instructions from ASI Rajesh Kumar, intimates that the petitioner No.2 had joined the investigation in

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the case and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Keeping in view the respective submissions made by learned State counsel and considering the fact that the petitioner No.2 had already joined the investigation and is no more required for further investigation nor he is required for any custodial interrogation, interim bail granted vide order dated 14.12.2023 is hereby confirmed in the present FIR No.38, dated 23.09.2023 under 61, 78(2) of The Punjab Excise Act, 1914 and Sections 420, 465, 467, 468 and 471 of IPC (Annexure P-1), subject to conditions as envisaged under Section 438(2) Cr.P.C. 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.

5. The petition stands allowed qua petitioner No. 2, namely Sukhwinder Singh, only.

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

(SANJIV BERRY)
JUDGE

15.01.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |