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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH
CRM-M-64484-2023 (O&M)
Date of Decision: 12.03.2024

AKASHDEEP SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. AG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, petitioner is seeking anticipatory bail in case FIR No. 113 dated 16.09.2023 registered under Section 61 of the Punjab Excise Act, 1914 at Police Station Khilchian, District Amritsar (Rural).
2. On 21.12.2023, following order was passed:

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in:-

<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Section(s)</i>
<i>113</i>	<i>16.09.2023</i>	<i>Khilchian, District Amritsar (Rural)</i>	<i>61 of The Punjab Excise Act, 1914</i>

Counsel for the petitioner contends that although a raid was allegedly conducted at the petitioner’s house and 55 kg. Lahan, 05 bottles of illicit liquor and components of working still, were recovered, but the petitioner has been falsely implicated and no independent witness was associated at the time of the alleged raid. Counsel submits that petitioner, who has clean antecedents, is prepared to co-operate with the investigation.

Notice of motion.

On asking of the Court, Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 12.03.2024.

Petitioner is directed to appear before the Investigating Officer on 05.01.2024 at 10.00 A.M. at Police Station Khilchian, District Amritsar (Rural), and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned State counsel on instructions from ASI Baljinder Singh, submits that in compliance of order dated 21.12.2023 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel the order dated 21.12.2023, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C.
5. The petition is accordingly allowed.

12.03.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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