

Law Today Live Doc. Id. 15719

PUNJAB AND HARYANA HIGH COURT

Before: Anupinder Singh Grewal, J.

CRM-M-39135-2020

Decided on: 16.12.2020

Sukhwinder Singh @ Sukhi

Petitioner(s)

Versus

State of Punjab

Respondent

Present:

Mr. Digvijay Nagpal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Punjab Excise Act, 1914 (Punjab Act 1 of 1914), Sections 61/1/14 -- Indian Penal Code, 1860 (45 of 1860), Section 473 IPC – Code of Criminal Procedure, 1973 (2 of 1974), Section 438 -- Excise matter – Anticipatory bail -- 45 boxes of country made liquor were recovered from a car and co-accused was arrested at the spot -- Petitioner is not the owner of the car -- Other co-accused was arrested later and stated that he was to hand over liquor to the petitioner -- On direction petitioner joined investigation, the order granting interim bail to the petitioner made absolute.

(Para 2-6)

ANUPINDER SINGH GREWAL, J. (ORAL) –

1. Heard through video conferencing.

2. The petitioner is seeking anticipatory bail in FIR No.134 dated 22.09.2020, under Sections 61/1/14 of the Punjab Excise Act and Section 473 IPC, registered at Police Station City Raman, District Bathinda.

3. Learned counsel for the petitioner contends that it is alleged in the FIR that 45 boxes of country made liquor were recovered from a car and co-accused Gurjant Singh alias Janta was arrested at the spot. The petitioner is not the owner of the car. Co-accused Satpal was arrested later on and had stated that he was to hand over liquor to the petitioner.

4. This Court, by the order dated 26.11.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

5. Learned State counsel, upon instructions from ASI Randhawa Singh, states that the petitioner has joined the investigation.

6. In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 26.11.2020 granting interim bail to the petitioner is made absolute.

7. However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

8. The petition stands disposed of.

Order accordingly.
