
(2021) 01 P&H CK 0088

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 35851 Of 2020

Jagsir Singh @ Jagdheer Singh @ Jaggi

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision : 07-01-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438, 438(2)
Punjab Excise Act, 1914 — Section 61

Citation : (2021) 01 P&H CK 0088

Hon'ble Judges : Raj Mohan Singh, J

Bench : Single Bench

Advocate : P.K.S. Phoolka, Ramandeep Sandhu

Judgement

Raj Mohan Singh, J

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.0168 dated 01.08.2020 registered under Section 61 of

Punjab Excise Act at Police Station Sadar Bathinda, District Bathinda.

On 04.11.2020, following order was passed:-

â??The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that the alleged recovery of 200 kg of lahan in a drum was effected from an abundant place near Sirhind

canal. FIR was registered on the basis of secret information. Neither any independent witness was joined nor was any videography done in respect of

alleged recovery. It was alleged that the petitioner was moving his hand in the drum and thereafter, he managed to escape from the spot and was

identified by ASI Harinder Singh. Petitioner is not involved in any case under

Excise Act.

Notice of motion for 07.01.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 10.11.2020 at 11.00 a.m. and in the

event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting

Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.â??

Learned State counsel on instructions from ASI Jaswinder Singh submits that in compliance of order dated 04.11.2020, the petitioner has joined the

investigation to the entire satisfaction of the Investigating Officer and he is no more required in further investigation of the case.

In view of above, order dated 04.11.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.