

**IN THE COURT OF JASWINDER SINGH,
ADDITIONAL SESSIONS JUDGE, GURDASPUR.**

Bail application No.281/29.05.2019.
CIS No.BA/1476/2019.
CNR No. PBGD01-006227-2019
Date of Decision: 04/06/2019.

Kulwant Singh aged about 44 years son of Sardar Singh, resident of village Dostpur, Tehsil and District Gurdaspur.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

FIR No. 50 Dated 26/05/2019
U/S 61-1-14 Punjab Excise Act,
Police Station Kalanaur,

.-.-.-.-.

Present: Shri Gurbachan Singh, Advocate for petitioner.
Shri S.S.Virdi, learned Additional P.P for State.

ORDER

1. This is an application under Section 438 of Cr.P.C. for the grant of anticipatory bail to the petitioner for the alleged commission of offence as mentioned above.

2. Upon notice, learned Additional Public Prosecutor appeared and contested the bail application. Police record was also requisitioned.

3. As per allegations contained in the FIR, on 26/05/2019, on the basis of secret information, a police party led by HC Gurjit Singh conducted raid at the tubewell of accused Kulwant Singh of village Dostpur, where one person came out of the room and on seeing the

police party, he fled away from the spot. On checking the room, 75 Kg Lahan was recovered.

4. I have heard the ld. Counsel for petitioner as well as Ld. Addl. Public Prosecutor for the state and also perused the record.

5. Vide order dated 31.05.2019, the petitioner was directed to join the investigation. Thereafter, the Investigating Officer appeared and submitted that petitioner has joined investigation on 03.06.2019. His custodial interrogation is not required for further investigation of this case.

6. Petitioner has already joined the investigation. Recovery has already been effected. Keeping in view above circumstances as well as statement suffered by ASI Gurjeet Singh, this Court is of the considered opinion that it is a fit case where the benefit of pre-arrest bail should be extended to the petitioner. Hence, the present bail application is hereby allowed and order dated 31.05.2019, vide which petitioner was admitted to interim bail, is hereby made absolute. Copy of this order be sent to the court of learned Illaqa Magistrate for attaching the same with the remand papers/FIR. Police record be returned. Record of bail application be consigned to the record room.

Pronounced:

Dated:04/06/2019

Rajiv Sharma, Stenographer-I

(Jaswinder Singh)
Additional Sessions Judge,
Gurdaspur.

BA 1476 2019

Kulwant Singh Vs State of Punjab

Present: Shri Gurbachan Singh, Advocate for petitioner.
Shri S.S.Virdi, learned Additional P.P for State.

Police record produced by ASI Gurjeet Singh. He suffered a statement that petitioner has joined the investigation on 03/06/2019. He is not required for further custodial interrogation.

Arguments heard. Vide my separate detailed order of even date, the present bail application has been allowed and order dated 31.05.2019, vide which petitioner was admitted to interim bail, has been made absolute. Copy of this order be sent to the court of learned Illaqa Magistrate for attaching the same with the remand papers/FIR. Police record be returned. Record of bail application be consigned to the record room.

Pronounced:
Dated:04/06/2019
Rajiv Sharma, Stenographer-I

(Jaswinder Singh)
Additional Sessions Judge,
Gurdaspur.