

CRM-M-19517-2017

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-19517-2017

Date of Decision:09.08.2017

Bhupender

... Petitioner(s)

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Vishavjit S. Virk, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Bhupender has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.145 dated 29.03.2017, registered at Police Station Kharkhoda, District Sonipat, under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code and Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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From the record, I find that in the present case, recovery has already been effected from co-accused. The present petitioner has been nominated on the basis of statement of co-accused.

In pursuance of the interim order dated 26.05.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected in the present case. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 26.05.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

09.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No