

209

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

CRM-M-29695 of 2017

Date of decision: November 14, 2017

Rakesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Shiv Kumar, Advocate for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

The petitioner has filed this petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.49 dated 13.02.2016, registered under Sections 186, 307, 332, 353, 120-B read with Section 34 of Indian Penal Code and Sections 61/1/14 of Excise Act, registered at Police Station Chandhut, District Palwal.

Admittedly, the challan was filed against one accused whose trial has commenced and out of 18 witnesses, 17 have already been examined in the trial. On 21.01.2017, the police has filed supplementary challan against the petitioner.

Allegations against the petitioner are that the petitioner was accompanying of the main accused, who had hit the police barricade with his dumper in which he was carrying a huge quantity of

liquor.

From the prosecution allegations against the petitioner, it appears that the petitioner was owner of the liquor bottles.

Be that as it may, in view of the supplementary challan that was filed on 21.01.2017 and looking to the further fact that there is no other prosecution against the petitioner and looking to the time that has passed, I am inclined to grant anticipatory bail to the petitioner on furnishing bail/surety bonds to the satisfaction of the concerned CJM/Duty Magistrate.

(A.B. CHAUDHARI)
JUDGE

November 14, 2017

anju rani

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No