

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

201/2

CRM-M No.13712 of 2017

Date of Decision: April 18th, 2018

Rai Singh Yadav

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Aalok Mittal, Advocate
for the petitioner.

Mr. Apoorv Garg, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner states that the petitioner, in compliance with the order passed by this Court on 21.04.2017, has joined investigation.

Counsel for the State does not dispute the said fact but he contends that the custodial interrogation of the petitioner is essential for soliciting information with regard to the modus of the commission of the offence. The fake bill books, on the basis of which fake bills were prepared, have also to be recovered from the petitioner. He, thus, prays that the petition may be dismissed.

Counsel for the petitioner states that the trailers are in custody with the petitioner and the drivers, who had been driving the trailers, have also been apprehended and have been granted regular bail by the trial Court. No recovery has to be effected from the petitioner as the place of initiation of the offence till the completion of the offence is known to the investigating agency. Even the fake bill are available with the investigating agency. He, therefore, contends that the custodial interrogation of the petitioner is not required.

Having considered the submissions made by the counsel for the parties, this Court is of the considered opinion that the custodial interrogation of the petitioner is not required as nothing has to be recovered from the petitioner as of now.

The present petition is allowed.

The order dated 21.04.2017 stands confirmed.

Petitioner shall, however, continue joining investigation as and when required.

April 18th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No