

**CRM-M-29752-2018**

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

**CRM-M-29752-2018**

**Date of Decision:13.09.2018**

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Ms. Manjot Kaur, Advocate,  
for the petitioner.

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

**INDERJIT SINGH, J. (Oral)**

Petitioner 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.305 dated 21.06.2018, registered at Police Station Thanesar Sadar, District Kurukshetra, under Section 7-10-55 of the Essential Commodities Act and Section 120-B of IPC.

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 gone through the record.

**CRM-M-29752-2018**

From the record, I find that FIR, in the present case, has been registered on the basis of secret information that co-accused Arun Kumar was illegally selling petrol and diesel. A raid was conducted at *Dhaba* and Arun Kumar alongwith cans containing petrol was apprehended. The petitioner is stated to be owner of the *Dhaba*. The petitioner has been nominated in the present case on the disclosure of co-accused Arun Kumar who stated that whatever he is doing, it is being done at the instance of the present petitioner. The allegation against the present petitioner is under Section 120-B IPC.

In pursuance of the interim order dated 18.07.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. 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 18.07.2018, 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.

**13.09.2018**

parveen kumar

**Note:** Whether speaking/reasoned  
Whether reportable

**(INDERJIT SINGH)**  
**JUDGE**

: Yes  
: No