

CRM-M-29761-2018

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

CRM-M-29761-2018

Date of Decision:25.09.2018

Shiv Shanti Parshad

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Akash Vashisth, 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.383 dated 11.04.2018, registered at Police Station Central Faridabad, District Faridabad, under Sections 409, 420, 467, 468, 471 and 120-B of the Indian Penal Code and Sections 13(1)(d) and 13(d)(2) of the Prevention of Corruption Act.

Notice of motion was issued in this case.

Learned State counsel has appeared 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.

As per the allegation in the FIR, government fee had been

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misappropriated by the officer of Excise Department. As per the allegation, three contractors, namely, Varinder Kumar, Neeraj Sachdeva and Raghubir Singh had not paid the excise fee.

Learned counsel for the petitioner submits that the excise duty was already paid before the registration of the FIR by these three persons. They have already been arrested and released on regular bail. The allegation against the present petitioner is that he is employed in the firm of the main accused.

In pursuance of the interim order dated 24.07.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him 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 24.07.2018, 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.

25.09.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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