

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

**CRM-M No.34331 of 2018
Decided on: 14.12.2018**

Ashok Kumar @ Shoki

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.39 dated 09.02.2014, registered under Section 61/1/14 of the Punjab Excise Act, 1914 at Police Station Sadar Karnal, District Karnal.

The operative part of the order dated 10.08.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner has submitted that the petitioner was involved in 02 FIRs i.e. the present FIR No.39 dated 09.02.2004 and another FIR No.40 dated 19.02.2004, in the same Police Station.

Counsel for the petitioner has further submitted that later on, another FIR No.622 dated 15.11.2010 was also registered under the same provisions of the Excise Act in the same Police Station and the petitioner was arrested, however, at that particular time, the petitioner was not shown arrested in the present FIR, though, the order

declaring him proclaimed offender was prior to that FIR and it was well within the knowledge of the office In-charge Police Station Sadar Karnal that the petitioner was declared as proclaimed offender in an earlier FIR relating to the same Police Station. Counsel for the petitioner has placed on record a photocopy of the order dated 20.04.2018 passed by the Additional Sessions Judge, Karnal, vide which the petitioner was granted anticipatory bail in FIR No.40 dated 19.02.2004, which was also registered in the same Police Station.

Notice of motion for 19.11.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 10.08.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Gurdial, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 10.08.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

14.12.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No