

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35305-2018

Date of decision: 26.10.2018

Amit Sharma

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sanjay Verma, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.22 dated 12.01.2018 under Sections 420, 120-B IPC and Section 61 of Punjab Excise Act, registered at Police Station Shahabad, District Kurukshetra.

While granting interim anticipatory bail to the petitioner, following order was passed on 28.08.2018: -

“Counsel for the petitioner has submitted that the petitioner was not arrested at the spot and 02 other persons, who were arrested at the spot along with the liquor have already been granted the concession of regular bail. It is further submitted that on the basis of the disclosure statement of co-accused, the petitioner is implicated in the present FIR. It is further submitted that it will be a debatable issue to be decided during the course of trial whether Section 420 IPC is made out against the petitioner or not.

Counsel for the State, on instructions from ASI Ram Chand,

has submitted that the petitioner be directed to join the investigation.

List again on 26.10.2018.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from ASI Prem Chand, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 28.08.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

26.10.2018
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No