

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

CRM No.M-49201 of 2017 (O&M)

Date of Decision: August 08, 2018

Sunil Kumar

...Petitioner

VERSUS

The State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vivek Singla, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.162 dated 06.12.2017 under Sections 13 of Prevention of Corruption Act (Sections 420, 466, 467, 468, 471, 193 and 219 IPC added later on), registered at Police Station Garhi, District Jind.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the allegations, 1200 boxes of country made liquor were recovered along with the vehicle from another accused Jagbir Singh. It is

stated that this liquor and the vehicle was of one Karambir. At that time, accused has not mentioned qua any pass or permit to the Investigating Officer but later on, when an application was filed for sapurdari, at that time, pass/permit issued by present petitioner, who was an officer of Excise Department, has been shown. The allegation is that pass/permit in question is ante dated and it was issued to give benefit to the accused.

The petitioner has already joined the investigation. He is not required for investigation or custodial interrogation. Nothing is to be recovered from him. The case is based on documentary evidence. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 21.12.2017 granting interim bail to the petitioner, is made absolute.

August 08, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No