

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

CRM-M-6916-2018

Date of decision:30.08.2018

Dimpy Badhwar

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Anshumaan Dalal, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana
assisted by ASI Bijender Singh.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.268 dated 09.07.2017, under Sections 420 of Indian Penal Code, 1860 and Section 61/1/14 of Punjab Excise Act, Police Station Sadar Sonipat, District Sonipat.

The allegations in nut-shell are that a secret information was received by the police to the effect that one Dimpy was indulging into smuggling illegal liquor from other States. Upon receipt of said information a raid was conducted and 876 boxes of liquor branded as 'High Time Premium Whiskey' (for sale in Arunachal Pradesh only) were recovered from a godown in village Kami. It is case of prosecution that said godown had been taken on rent by the petitioner but he was not arrested at the spot.

Notice of the petition was issued to the respondent-State.

Learned State counsel upon instructions from ASI Bijender Singh has informed that the petitioner has since joined investigation and is not required for custodial interrogation.

Having regard to the facts and circumstances of the case and bearing in mind the fact that the petitioner was not arrested at the spot, I do not find that it is a case of custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 19.02.2018 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition is accepted in the above mentioned terms.

**(GURVINDER SINGH GILL)
JUDGE**

30.08.2018
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**