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

CRM-M-15731 of 2019

Date of decision: July 12, 2019

Rattan Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Abhishek K. Premi, Advocate for
Mr. Chandan Singh, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.0105 dated 16.03.2019, under Sections 201, 34, 420 of Indian Penal Code, 1860 and Section 61 of the Punjab Excise Act, 1914, registered at Police Station Tosham, District Bhiwani, Haryana.

As per prosecution case, petitioner along with co-accused were indulging in the business of supply of liquor illegally without having any permit or licence and lots of boxes of liquor of various brands were recovered from their possession.

On 05.04.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that recovery of the alleged contraband has already been effected and petitioner is ready to join

the investigation.

Notice of motion for 07.05.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from Assistant Sub Inspector Ashok Kumar, has submitted that petitioner has joined investigation in terms of order dated 05.04.2019 and his custodial interrogation is not required.

In view of the above, order dated 05.04.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

July 12, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**