

CRM-M-17497-2019

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

CRM-M-17497-2019 (O & M)

Date of Decision: 23.05.2019

Rohit Wadhwa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Madan Lal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

CRM-15742-2019

This is an application under Section 482 Cr.P.C. for correcting the father's name of the petitioner, which has been mentioned in the memo of parties as Shankar Wadhwa instead of Sham Lal Wadhwa.

Heard.

The present application is allowed and father's name of the petitioner be read as Sham Lal Wadhwa. Amended memo of parties annexed with the present application, is taken on record.

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Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.39 dated 17.03.2019, registered at Police Station Sadar,

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Section 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that FIR, in the present case, has been registered on the basis of secret information. The present petitioner is stated to be a driver of the vehicle from which 28 boxes of liquor were recovered.

In pursuance of the interim order dated 29.04.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 29.04.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

23.05.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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