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

CRM-M-19025 of 2019

Date of decision: July 15, 2019

Eshan Kharbanda

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Ms. Avneet K. Brar, 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.145 dated 31.03.2019, under Sections 61/1 of Punjab Excise Act, 1914 and Sections 420, 120-B of Indian Penal Code, 1860, registered at Police Station Baldev Nagar, District Ambala.

As per prosecution case, petitioner has been implicated in this case on the basis of statement of co-accused, namely Inder Singh @ Mintu.

On 29.04.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that recovery of the alleged contraband has already been effected from co-accused, namely, Avtar Singh.

Notice of motion for 15.07.2019.

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 Surender Kumar, Belt No.73/Amb., Police Station Baldev Nagar, Ambala, has submitted that petitioner has joined investigation in terms of order dated 29.04.2019 and his custodial interrogation is not required.

In view of the above, order dated 29.04.2019 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 15, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**