

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26836-2019

Date of Decision: 19.08.2019

Daulat Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Daulat Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.5 dated 26.01.2019, registered at Police Station Bond Kalan, District Charkhi Dadri, under Section 61 of the Punjab Excise Act, 1914 (Sections 186/332/353/420/467/468/471 of the Indian Penal Code, 1860 added later on).

Notice of motion was issued.

Learned State counsel has appeared 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 have gone through the record.

The FIR in the present case has been registered on the basis of secret information. As per the secret information, the raid was conducted and 380 boxes of liquor, each containing 12 bottles of Malta Theka were recovered from the canter. The driver of the canter stopped the vehicle 20

meters prior to naka and ran away in the fields. As per the FIR, nobody has identified the driver as the distance was much more.

Learned counsel for the petitioner denies that the petitioner was the driver of the canter.

In pursuance of the interim order dated 14.06.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. No useful purpose would 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 14.06.2019, 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.

19.08.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No