

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

CRM-M No. 32654 of 2019

Date of Decision:-04.12.2019

Jagdish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Naresh Kumar Ganga, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.169 dated 21.7.2019, under Sections 420 and 473 IPC and Section 61 of Punjab Excise Act, 1914, registered at Police Station Kalanwali, District Sirsa. The petitioner apprehended his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 20.8.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged recovery of liquor was effected from co-accused Raj Kumar and Mithun and on their disclosure,

the petitioner was indicted as an accused on the ground that the said liquor was purchased from the petitioner.

Notice of motion for 04.12.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Satyanarayan does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Satyanarayan further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 20.8.2019 is made absolute.

December 04, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No