

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

211

**CRM-M-25132-2020
Decided on : 28.09.2020**

Ajay

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Sanjeev Bishnoi, Advocate, for the petitioner.

Mr.Anant Kataria, DAG, Haryana.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner seek anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No.248 dated 13.08.2020 under Sections 61 of Punjab Excise Act, 1914 and Section 25 of the Arms Act, 1959 (added lateron) registered at Police Station Rai, District Sonipat.

Counsel for the petitioner submits that in terms of the order dated 31.08.2020, petitioner has joined investigation, which fact has been vouched for by the State Counsel, on instructions from HC-Vinod. He further submits that petitioner's antecedents are clean and he is not involved in any other case of similar nature under the Punjab Excise Act, 1914 and is not required for further investigation.

Relevant part of the order dated 31.08.2020 reads as under:

“In the opinion of this Court prima facie since recovery has already been effected, the petitioners would not be required for custodial interrogation. The same can also be elicited in case the petitioners who are stated to be young persons of mid twenties, are allowed to join investigation.”

In view of the above facts, no useful purpose would be served by taking the petitioner in custody.

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Accordingly, this Court is of the opinion that custodial interrogation of the petitioner, in the facts and circumstances of the present case is not necessary. In such circumstances, this Court is of the opinion that interim order dated 31.08.2020 is liable to be confirmed. Ordered accordingly.

SEPTEMBER 28, 2020

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No