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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.8154 of 2020

Date of Decision:06.09.2021

AMIT GOYAL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Vikas Cuccria, Advocate
for the petitioner.

Mr.Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.74 dated 14.02.2020 registered under Section 63 of the Copy Right Act, at Police Station Gannaur.

On 24.02.2020, following order was passed:-

"The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.74 dated 14.02.2020 registered under Section 420 of the Indian Penal Code, 1860 read with Section 63 of the Copy Right Act, 1957 at Police Station Gannaur, District Sonipat.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. The petitioner is carrying on book shop and is also selling eatables such as wafers, biscuits, cold drinks and other day to day consumable goods including SHIV BIDI 203 besides books and stationary articles. The petitioner used to buy SHIV BIDI No. 203 from its sole distributor M/s

Batra Trading Company, 100/12 Jain Sathanak Gali Gannaur Mandi Sonipat. On 10.02.2020 the petitioner received bidis from the above said distributor. The FIR has been registered against the petitioner at the instance of the distributor regarding stocking of fake bidis of the above said brand. The petitioner had no expertise to ascertain whether the alleged bidis were genuine or fake. The petitioner is ready to join the investigation and his custodial interrogation is not required for making any recovery.

Notice of motion.

On the asking of the Court, Mr. Arjun Singh Yadav, Asst.AG Haryana accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the Learned State Counsel, who seeks time to complete his instructions.

Adjourned to 05.05.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.

24.02.2020

(ARUN KUMAR TYAGI)

Rajeev (rvs)

JUDGE"

Learned counsel for the petitioner submits that in compliance of the order dated 24.02.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from SI Rajesh admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 24.02.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he

shall abide by the conditions as envisaged under Section 438(2)
Cr.P.C.

Petition stands disposed of.

06.09.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No