

CRM-M-32186-2021

Date of Decision : 02.09.2021

INDER SINGH AND ANR

`...Petitioners

versus

STATE OF HARYANA

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Bhuvnesh Lakhera, Advocate for the petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No. 69 dated 13.05.2021, registered under Sections 188/120-B IPC and Section 61-04-20 Excise Act, 2020 & 51(b) Disaster Management Act, 2005 at Police Station Sadar Rewari, Distt. Rewari.
3. On 13.08.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel for the petitioners contends that the petitioners have been implicated in the instant case solely on the basis of disclosure statement of co-accused Arbind, employee deputed at a liquor vend, who on routine checking during lockdown was found selling liquor and who stated that he had been selling liquor on the directions of the petitioners-contractors and that apart from the aforementioned disclosure statement, there is no other material to connect the petitioners with the commission of the offence, besides the petitioners are neither the contractors, nor have got anything whatsoever to do with the liquor vend. Learned counsel for the petitioners further contends that the petitioners are not

involved in any other case, besides are ready and willing to join investigation and fully co-operate in the same. Notice of motion.

Mr. Sandeep Singh Mann, learned Addl. AG, Haryana, accepts notice and requests for time to seek instructions and to argue the case.

Adjourned to 02.09.2021.

In the meantime, the petitioners are directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioners be released on ad-interim pre-arrest bail till the next date, subject to their furnishing bail / surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioners shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.

4. Today, learned counsel for the petitioners contends while learned State counsel on instructions from *ASI Sumit* confirms that pursuant to the order of this Court dated 13.08.2021, the petitioners joined investigation, fully cooperated with the police, were released on ad interim pre arrest bail and that their custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 13.08.2021, passed by this Court, is made absolute. The petitioners shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

02.09.2021

rajesh

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>