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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39259-2021 (O&M)
Date of Decision: 02.12.2021

Arvind @ Rinku

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anmol Puri, Advocate for
Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

CRM-32304-2021

Application is allowed, subject to all just exceptions. Annexure

P-3 is taken on record.

CRM-M-39259-2021

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.148 dated 20.08.2021, registered under Section 61 Punjab Excise Act, 1914 at Police Station Ding, 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 21.09.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Prayer is for grant of anticipatory bail in case FIR No.148 dated 20.08.2021 under Section 61 of Punjab Excise Act, 1914 registered at Police Station Ding, District Sirsa.

As per allegations in the FIR, a naka was laid by the

police party. The petitioner was seen coming in a vehicle i.e Grand I-10 car. The vehicle was signalled to stop, however, the petitioner after stopping the vehicle ran away. He was identified by the police party. 120 bottles of country-made liquor mark Malta Masti were recovered.

Learned counsel for the petitioner contends that the recovery has already been effected and the vehicle has already been seized. There is no other case under the Excise Act earlier registered against the petitioner. The petitioner is ready and willing to cooperate with the investigation.

Notice of motion for 02.12.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner further states 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 HC Kuldeep Singh does not dispute this fact that the petitioner has joined the investigation and 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 21.09.2021 is made absolute.

02.12.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No