

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-43530-2021 (O&M)

Date of decision: 30.11.2021

Prince

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Saleem Ahmed, Advocate  
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of anticipatory bail in FIR No.306 dated 07.09.2021 under Section 61-4-2020 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), registered at Police Station Sector 31, Faridabad, District Faridabad.

While granting interim bail to the petitioner, following order was passed by this Court on 14.10.2021: -

*“...Counsel for the petitioner has argued that the FIR was registered on the basis of a secret information that one person on a scooty bearing registration No.HR51-CD-1643, while carrying countrymade liquor kept in the dicky of the scooter is coming and*

*if a barricade is put up, he can be apprehended. It is further submitted that on receiving such information, no ruqa was sent to the Police Station, however, it is the case of the prosecution that later on, the police party noticed that a scooter bearing the aforesaid No.HR51-CD-1643, is coming and on seeing the police party, the driver ran away by leaving the scooter along with key and on checking the dicky of the scooter, 52 quarter of country-made liquor make Malta was recovered.*

*It is totally unbelievable that despite having a secret information in which the description of the scooter and the petitioner was given, the petitioner could not be apprehended at the spot despite the fact that there were number of police officials present at the spot and therefore, his false implication cannot be ruled out...”*

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from HC Jagdish Rai, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 14.10.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

However, learned State counsel submits that some more time is

required to file the affidavit in compliance of the order dated 14.10.2021.

List again on 28.01.2022.

30.11.2021

*vishnu*

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No