

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

CRM-M-36591-2019

Date of Decision: 02.07.2021

Naseeb @ Billu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ravinder Phogat, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Ashok Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.131 dated 12.05.2019 at Police Station Dadri City, District Charkhi Dadri under Sections 186/188/294/323/332/353/379-A/506/511 IPC and Section 135C of the Representation of People Act.
2. The FIR in question was lodged at the instance of Constable Sanjay Kumar, wherein it is alleged that on 12.05.2019, when he was present at T-point Rawaldhi in connection with special duty assigned to him during Lok Sabha Elections, a special informer furnished information that there is a illegal liquor shop adjoining the English liquor shop and that while the English liquor shop is presently closed on account of Code of Conduct imposed by the Deputy Commissioner, Charkhi Dadri, the liquor was being

distributed to voters from illegal liquor shop for the purpose of casting their votes in favour of a particular party. Upon receipt of said information, the complainant proceeded to the spot and found that the liquor was being supplied to people without charging any money. Three boys were found present at the said illegal liquor shop. When the complainant tried to take photographs of the shop with the help of his mobile phone, the boys abused him and stopped him from performing official duty and gave beatings to him and tried to snatch his mobile phone. However, in the meanwhile, SHO Dalbir Singh alongwith other officials came to the spot and nabbed two boys, who disclosed their names as Naveen and Neeraj. Upon interrogation, both the boys disclosed the name of their companion, who had ran away, as Naseem @ Billu.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case on the basis of disclosure statement suffered by co-accused and that he was never ever arrested at the spot and in any case the petitioner had already joined investigation.
4. On the other hand, learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has joined investigation and is not required for any custodial interrogation and that he is not involved in any other case.
5. Having regard to the facts and circumstances of the case and while also noticing that petitioner had already joined investigation and

that he is not involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 14.11.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

02.07.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**