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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51745-2021 (O&M)
Date of Decision: 21.12.2021

Bhupender

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rakesh Kumar Lathwal, Advocate and
Mr. Man Mohit Malik, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.590 dated 15.12.2019, registered under Section 420 IPC and Section 61 Excise Act, 1914 at Police Station Sadar, District Sonapat (Haryana). The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has argued that as per prosecution, illicit liquor was recovered from a godown as well as two vehicles parked over there, which is in possession of co-accused, namely, Manjeet and the at the time of seizure, two accused, namely, Nawazish and Saurabh were arrested. He submits that the petitioner is not connected with the alleged offence and, therefore, his custodial interrogation may not be necessary. He prays for pre arrest bail.

Mr. Sukhdeep Parmar, DAG, Haryana, learned State counsel assisted by ASI Ashok has opposed the prayer on the ground that the

petitioner is part of the team, which is engaged in bringing illicit liquour to District Sonipat. He submits that the petitioner is involved in procuring liquour from the distillery to sell it illegally through his close companions. However, it is not disputed that the petitioner is being implicated on the basis of statement suffered by his co-accused Amit @ Mita.

Considering the above background, but without meaning any expression of opinion on the merits of the case, the petition is allowed and in the event of arrest, the petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

21.12.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No