

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

CRM-M-29692-2021
Date of decision: 21.02.2022

Vinod Bhati

...Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gautam Dutt, Advocate,
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

Mr. Sourabh Goel, Advocate,
for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in Panchnama dated 28.06.2021, filed by the Inspector, CGST, District Faridabad.

Learned counsel for the petitioner draws the attention of this Court towards the order dated 25.08.2021 passed by a Coordinate Bench, which reads as under:

“Case has been taken up for hearing through Video Conferencing.

Learned counsel for the petitioner submits that though no notice was received from respondent No.2 to make appearance before Proper Officer, however, petitioner on his own had gone to the office of respondent No.2 (Proper Officer) and joined the inquiry.

Faced with this situation, learned counsel for respondent No.2 has given concurrence to above said

fact and further submits that petitioner has co-operated during the course of inquiry and the Department do not require custody of petitioner as till date there is no arrest authorization of petitioner.

Adjourned to 28.09.2021.”

Learned counsel for the petitioner submits that the petitioner has appeared before respondent No.2 and joined the inquiry. He further submits that the petitioner will cooperate during the course of the inquiry, if required.

On 25.08.2021, the factum of joining the inquiry by the petitioner, was not disputed by learned counsel for respondent No.2.

Keeping in view the fact that the petitioner has joined the inquiry and cooperated during the course of inquiry coupled with the fact that the concerned department does not require his custody, the present petition is disposed of with a direction to the petitioner that he will continue cooperating during the course of inquiry as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of the Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the inquiry proceedings, the concerned department would be at liberty to move an appropriate application for cancellation of bail.

21.02.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No