

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-34850 of 2021
Date of decision:07.02.2022

Parshotam Lal Goyal and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rishi Sehgal, Advocate for
Mr. Sartaj Singh Gill, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Harpreet Singh Mann, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

While granting interim protection to the petitioners, this Court
passed the following order on 26.08.2021:-

*“The Court has been convened through video
conferencing due to Covid-19 Pandemic.*

*This is second petition qua petitioner No.1, whereas it is
the first petition qua petitioners No.2 and 3, filed under Section
438 of the Code of Criminal Procedure, 1973 for grant of
anticipatory bail in case FIR No.190 dated 06.03.2020,
registered for offence under Section 27(A) of the Drugs and
Cosmetics Act, 1940, at Police Station Chandnibagh, District*

Panipat (Annexure P-1).

Learned Senior Counsel has placed reliance upon order dated 12.05.2020 passed by this Court in CRM-M-12190-2020 titled as Manic Goyal Versus State of Haryana and order dated 23.03.2020 (Annexure P-33) passed by the High Court of Himachal Pradesh in CrMP(M)-545-2020, to submit that the petitioners are identically placed as the accused in the said matters. He has also placed reliance upon order dated 19.03.2020 passed in CRM-M-11628-2020, whereby in a petition seeking quashing of the FIR (Annexure P-4), this Court while issuing notice to the respondents in the main petition, has issued notice regarding stay as well, which is stated to be pending.

Counsel further submits that by virtue of orders dated 12.04.2020 (Annexure P-2), the learned Additional Sessions Judge, Panipat while dismissing the petition seeking anticipatory bail preferred by the petitioners, ordered that the Investigating Officer shall give one week's prior notice to the petitioners before effecting their arrest. He submits that petitioner No.1 approached this Court by filing CRM-M-12079-2020, which was withdrawn on 08.05.2020 (Annexure P-3) with liberty to approach the Court afresh as no notice had been issued by the Investigating Agency. He submits that notices under Section 41(1)(a) Cr.P.C. (Annexures P-5 to P-7)

have now been served upon the petitioners.

List on 07.12.2021.

Meanwhile, the petitioners shall appear at Police Post Kishanpur, Panipat on 27.08.2021 at 10.00 A.M. and join the investigation and would appear as and when called for and in the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Upon instructions from ASI Parminder Singh and ASI Mahabir, State counsel submits that all the three petitioners have joined the investigation, challan has been presented and the proceedings are fixed for 09.02.2022 for consideration on framing of charge. As per her instructions, the petitioners are no longer required for the custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 26.08.2021 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

February 07, 2022
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>