

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

CRM-M-35032-2022 (O&M)

Date of Decision: 08.09.2022

Mritunjai Dixit

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Ashit Malik, Advocate,
for the petitioner.

Mr. Munish Sharma, A.A.G., Haryana.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 68 dated 10.03.2022 under Sections 420/285/120-B of the IPC and Section 7 of the Essential Commodities Act, 1955, registered at Police Station Mundkati, District Palwal.

On 08.08.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner was not present at the spot at the time when the raiding party had conducted the raid and there is no material to show that the petitioner was having any partnership in the said alleged illegal adulterated diesel oil. It is further submitted that the petitioner has no concern with the premises where allegedly, the allegedly adulterated diesel was being sold. It is contended that the petitioner has been implicated on account of the

fact that he is the husband of Sunita Dixit who has taken the land on lease where the petrol pump was installed. It is further submitted that the petitioner is not involved in any other case and in order to show his bona fide, is ready to deposit an amount of Rs.2,00,000/- with the Department of Food and Supply, Haryana within a period of three weeks from today, without admitting his liability.

Notice of motion for 08.09.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.

The petitioner is directed to deposit an amount of Rs.2,00,000/- with the Department of Food and Supply, Haryana within a period of three weeks from today and the said Department is further directed to transfer the said amount to the entity/person who has suffered loss in the present case.

It is made clear that in case, the abovesaid amount of Rs.2,00,000/- is not deposited within the aforesaid period, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The deposit of the amount of Rs.2,00,000/- would not be construed as an admission of guilt by the petitioner.”

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation and has also deposited an amount of Rs. 2,00,000/- in

compliance of the said order.

Learned State counsel, on instructions from SI Devender Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 08.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 08.08.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

September 08, 2022

nitin

(VIKAS BAHL)

JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No