

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-42150-2021 (O&M)

Date of Decision:-21.9.2022

Ramesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shokeen Singh Verma, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Jagdeep.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.199, dated 2.8.2021, Police Station Sadar Dadri, under Section 61(1) of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020).
2. At the time of issuance of notice of motion, the following order was passed on 7.10.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in a case registered vide FIR No.199, dated 2.8.2021, Police Station Sadar Dadri, under Section 61(1) of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020).

As per the case of prosecution, a secret information was received to the effect that Anil and Ramesh indulged in sale of liquor in illegal manner. Upon receipt of said information, the police raided the nominated place from where 24 bottles, 19 halves and 23 quarters of country made liquor were recovered. However, none of the accused was found present at the spot.

Learned counsel for the petitioner submits that he has falsely been implicated in the present case and was never ever found at the alleged place of recovery. It has further been submitted that even the premises from where the recovery was effected are not owned or possessed by the petitioner who is in fact a resident of a different village.

Notice of motion for 3.2.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Jagdeep, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation.
4. Having regard to the facts and circumstances of the case and while also noticing that petitioner has already joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 7.10.2021 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.

21.9.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No