

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

CRM-M-42230-2021 (O&M)
Date of Decision:-30.3.2022

Gurvinder Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Pargat Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.0209 dated 5.9.2021, Police Station Rattia, District Fatehabad, under Section 61 of Punjab Excise Act, 1914 (Haryana Amendment Bill, 2000).
2. This Court, while issuing notice of motion, had passed the following order on 7.10.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in a case registered vide FIR No.209, dated 5.9.2021, Police Station Sadar Rattia, District Fatehabad, under Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2000).

As per the case of prosecution a secret information was received by the police to the effect that one Jangir Singh indulged in distilling illicit liquor on his agricultural land with the help of a working still. Pursuant to receipt of said information a raid was conducted at the nominated place. Two persons who were present there fled away from the spot upon noticing the police party. Upon checking the room 150 liters of '*Lahan*' and 29 bottles of illicit bottles were recovered. Apart from the said recovery a mobile phone and two motorcycles were also recovered on the said premises. While one motorcycle was without a number plate, the other bore registration No. HR-59-E-4667.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and that even as per the FIR it is Jangir Singh against whom allegations have been levelled and that he is sought to be nominated on the basis of a disclosure statement allegedly made by Jangir Singh.

It has further been submitted that although the prosecution claims that the motorcycles in question were stolen motorcycles but in fact the petitioner had purchased the motorcycle from one Sukhpal Singh as would be evident from affidavit dated 1.10.2021.

Notice of motion for 12.10.2021.”

3. Thereafter vide order dated 17.12.2021, the petitioner was granted interim bail and was directed to appear before the Investigating Officer.
4. Learned State counsel, upon instructions from ASI Pargat Singh, has informed that pursuant to interim directions the petitioner has since joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court.

6. Having regard to the aforestated position, wherein the petitioner is stated to have 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 17.12.2021 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.

30.3.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No