

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

CRM-M-47668-2021 (O&M)
Date of Decision:- 5.5.2022

Suresh Khatua

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. C.S.Singhal, Advocae for
Mr. Inderpal Khokhar, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by SI Suresh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.95, dated 1.3.2021, Police Station Dabua, District Faridabad, under Sections 420, 467, 468, 470, 471, 474, 120-B IPC and Sections 24-A, 52-A, 63-A, 72-A of Punjab Excise Act, 1914 and Sections 61(3) (15-A)(A) of Haryana Amendment Act, 2020.
2. At the time of issuance of notice of motion the following order was passed on 24.11.2021:

“CRM-39702-2021

In view of the reasons mentioned in the application,
the same is allowed and translated copy of FIR (Annexure P-
1) is taken on record subject to all just exceptions.

CRM-M-47668-2021

The petitioner has approached this Court seeking grant of anticipatory bail in a case registered vide FIR No.95, dated 1.3.2021, Police Station Dabua, District Faridabad, under Sections 420, 467, 468, 470, 471, 474, 120-B IPC and Sections 24-A, 52-A, 63-A, 72-A of Punjab Excise Act, 1914 and Sections 61(3) (15-A)(A) of Haryana Amendment Act, 2020.

As per the allegations levelled in the FIR, a secret information was received by the police to the effect that Tilak Raj Verma along with his father Gian Singh Verma indulged in preparing spurious liquor in a vacant plot at Rajesh Dharamkanta, Dabua in a room constructed in a corner. Pursuant to receipt of said information a raid was conducted at the said premises from where a large quantity of cartons having marking of Officer Choice Blue Mark, Machines, 12 cartons of duplicate quarters of Officer Choice liquor, fake holograms of Excise Department, plastic caps, fake labels etc. apart from a plastic tank used for preparing liquor which was having 20-25 litres of spirit and another two plastic bottles containing some noxious substance (chemical colour for preparing spurious liquor) and also of bottle-cap sealing machine were recovered. It is the case of prosecution that a disclosure statement was made by Tilak Raj to the effect that Chaman Lal used to supply the caps, used for preparing the spurious liquor bottles. It is further the case of prosecution that upon arrest of said Chaman Lal, he named the petitioner as his supplier.

Learned counsel for the petitioner has submitted that he has been falsely implicated in the present case and that he is carrying on business of manufacturing aluminum caps in Delhi whereas the recovered caps are stated to be plastic caps. It has further been submitted that the petitioner infact

supplies aluminum caps only to the Government agencies and apparently has been falsely implicated.

Notice of motion for 18.4.2022.

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 Suresh, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation.
4. Having regard to the aforestated position wherein the petitioner has 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 24.11.2021 is 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.

5.5.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No