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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

-.-

CRM M 45810-2023  
Date of Decision 14.09.2023*Rajesh**.....Petitioner**versus**State of Haryana**...Respondent***Coram      Hon'ble Mr. Justice Rajbir Sehrawat**

Present:      Mr. Kamal Chaudhary, Advocate for the petitioner

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**Rajbir Sehrawat, J, (Oral)**

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 455 dated 21.06.2023, registered under Section 61 of the Haryana Excise Act, at Police Station Surajkund, Faridabad (Annexure P-1).

Counsel for the petitioner has submitted that the case against the petitioner is totally false and concocted. The name of the petitioner has been involved in the case only on the basis of the disclosure statement of the co-accused. Otherwise, there is nothing to connect the petitioner to the alleged crime. The petitioner shall join the investigation as and when called by the police. Therefore, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Krishan Kumar Chahal, Additional Advocate General,  
Haryana accepts notice on behalf of the respondent – State.

Counsel for the State being instructed by SI Vijay Pal has submitted that the name of the petitioner has surfaced during interrogation of the co-accused, who was arrested by the police on the spot. The recovery involved in the case is very heavy. Not only that, the petitioner is a habitual offender of committing these kind of offences. The petitioner has already been convicted in two more cases registered under the Excise Act. The investigation is at the initial stage. Therefore, the police require custodial interrogation of the petitioner to unearth the true dimensions of the involvement of the petitioner in the crime. Hence, the petitioner does not deserve to be protected against his arrest.

In view of the facts and circumstances available on the file, as well as, the submissions made by counsel for the State, this Court does not find it appropriate to interfere in the matter so as to grant concession of anticipatory bail to the petitioner.

Dismissed.

(Rajbir Sehrawat)  
Judge

September 14, 2023  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |