

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-182-2024

Date of Decision: 04.04.2024

Ramesh Singh @ Kakka ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Naresh Kumar Ganga, Advocate, for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR No.	Dated	Police Station	Section/s
0258	12.09.2023	Sadar Ratia, District Fatehabad	61/4 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of
aforementioned FIR.
2. At the time of issuance of notice of motion on 08.01.2024, the following
order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case
registered vide FIR No.0258, dated 12.9.2023 registered at Police
Station Sadar Ratia, District Fatehabad, under Section 61/4 of Punjab
Excise Act, 1914 (Haryana Amendment Bill, 2020).

Learned counsel for the petitioner submitted that although the petitioner
is named in the FIR but he was never arrested at the spot and that it is
from the co-accused that recovery of 5 bottles of illicit liquor and 50
liters of ‘*lahan*’ was recovered. It has been submitted that the petitioner
has falsely been implicated in the present case and that in the absence of
any evidence to show that the petitioner was present at the spot or any

recovery was effected from him, the allegations cannot be said to be truthful at all.

Notice of motion for 4.4.2024.

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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. 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 08.01.2024 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.

04.04.2024

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**