

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM M-5717-2024

Date of Decision: 02.02.2024

Karambir (@ Karam Veer Singh

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ram Kumar Saini, Advocate
for the petitioners.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 438 of the Cr.P.C. with a prayer to grant pre-arrest bail to him in case FIR No.334 dated 13.08.2023 registered under Section 61 of Haryana Excise Act (Sections 4 & 20 of Haryana Excise Act and Sections 420, 120-B and 392 of IPC added later on) at Police Station Ladwa, District Kurukshetra (Annexure P-1).

2. Learned counsel for the petitioner contends that Sahil Kumar, co-accused, who was apprehended at the spot with the illicit liquor has already been granted the concession of bail by the Court of Additional Sessions Judge, Karnal vide order dated 03.11.2023 (Annexure P-3). Learned counsel for the petitioner has further placed reliance on the order dated 19.01.2024 (Annexure P-5) passed by this

Court, whereby, similarly placed co-accused Sanjeev Kumar was already granted the concession of anticipatory bail by this Court. Learned counsel contends that the recovery has already taken place in the present case.

3. Notice of motion.

4. On the asking of Court, Mr. Rajinder Kumar Banku, DAG, Haryana accepts notice on behalf of respondent-State.

5. I have heard learned counsel for the parties and perused the record.

6. In the instant case, as per the story of the prosecution, co-accused Sahil Kumar was found standing near a truck, which was loaded with the illicit liquor. Sahil Kumar was apprehended at the spot and the liquor was taken into possession by the police. Now, Sahil Kumar has already been granted the concession of regular bail by the Court of Sessions Judge, Karnal. Apart from that, Sanjeev Kumar, similarly placed co-accused has already been granted the concession of anticipatory bail by this Court vide order dated 19.01.2024 (Annexure P-5). Thus, the custodial interrogation of the petitioner may not be required, at this stage.

7. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so

required, by issuing a written notice in this regard and he shall abide
by the conditions mentioned in Section 438(2) of the Cr.P.C.

02.02.2024

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No