

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6331-2024
Date of decision: 06.03.2024

NARESH DASS ...Petitioner

Versus

STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Ankur Bali, Advocate
for the petitioner.

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
0287	16.12.2023	120-B, 420, 468, 471 of IPC and Section 61 of the Punjab Excise Act, 1914	Sadar Kanina, District Mahendergarh

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 20.02.2024 passed by this Court, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from PSI Ravi, informs the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.

4. During the course of hearing on 20.02.2024 following order was passed:

“1. Status report dated 15.02.2024 already filed in the form of an affidavit of Deputy Superintendent of Police, Kanina, District Mahendergarh is ordered to be taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Heard.

3. It is inter alia contended by learned counsel for the petitioner that the petitioner is partner of firm M/s Wines and has no concern with the alleged transaction. Even otherwise, the recovery has already been effected in the matter by the Police from the co-accused and the petitioner is ready to join investigation.

4. List on 06.03.2024.

5. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 20.02.2024 passed by this Court, interim bail granted vide order dated 20.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of

case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

06.03.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |