

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-12747-2024
Date of Decision:01.04.2024

NARESH KUMARPetitioner

Vs.

STATE OF HARYANARespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate
for the petitioner.
Mr. Sumit Jain, Additional AG, Haryana
assisted by ASI Rakesh Kumar.

DEEPAK GUPTA, J.(ORAL)

On 13.03.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.494 dated 27.12.2023 registered under Sections 420, 467, 468, 120-B IPC and Section 61 of Excise Act, 1914 (Haryana Amendment Bill, 2020) at Police Station Sadar Narnaul, District Mahendergarh.

As per allegations, on 27.12.2023, on the basis of secret information, Container No.MP-07GA-7695 was apprehended on National Highway 152-D. 515 boxes of liquor were found from the said Container. The said Container was being driven by Hanuman Godara. In his disclosure statement, said Hanuman Godara nominated one Swaroop Singh and produced documents like builties etc. Said Swaroop Singh, in his disclosure statement nominated the petitioner and others.

Learned counsel for the petitioner contends that only role attributed to the petitioner is that he used to receive the forged bills and builties on his mobile and forward the same to co-accused Sanjay Rana, who used to hand over the same to the driver after getting the same printed.

Learned counsel for the petitioner further contends that the petitioner has been falsely implicated based only on the disclosure

statement of co-accused which is not admissible and that the petitioner is ready to join the investigation.

It is also informed by learned counsel for the petitioner that connected petition of co-accused is fixed before this Court for 01.04.2024.

Notice of motion.

Mr. Aashish Bishnoi, DAG, Haryana, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 01.04.2024 for filing status report.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Rakesh Kumar submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 13.03.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

01.04.2024

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Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No