



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-14450-2024
Date of decision: July 4th, 2024

Rahul Khan
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashish Sharma, Advocate
for Mr. Arun Sharma, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.336 dated 16.10.2023 under Sections 420, 120-B of the Indian Penal Code, 1860, and Section 7-10-55 of Essential Commodities Act, registered at Police Station Punhana, District Nuh.

2. Vide order dated 20.03.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia contends that the petitioner was neither named in the FIR nor any suspicion raised qua his involvement in the alleged illegal sale of milk, which was meant for “mid-day meals” in a scheme floated by the Government of Rajasthan. Learned counsel submits that the recovery of the milk packets was effected from the shop of co-accused Aarif, who has since been released on regular

bail vide order dated 26.02.2024. Learned counsel submits in the circumstances, moreso since no recovery is to be effected from the petitioner and he has clean antecedents, his custodial interrogation would not be required.”

3. Learned counsel for the petitioner submits that in compliance of order dated 20.03.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 20.03.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

July 4th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No