

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-23763-2024
Date of decision: 29.05.2024

AMARJEET SINGHPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Neha Bindal, Advocate for
Mr. S.S. Gill, Advocate
for the petitioner.

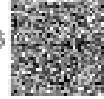
Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. On the last date of hearing, i.e. 13.05.2024, the following order was
passed:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.139 dated 05.04.2024, under Section 61(1)(c) of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), registered at P.S. Sadar Sirsa, District Sirsa.

2. Succinctly stated, the genesis of the present FIR is embodied in a secret information regarding preparation of illicit liquor by the petitioner, at a vacant place near the Government Quarter and at the gate of Grain Market Mallekan. On receipt of this information, a raid was conducted, whereupon, the raiding police party found a person



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blending a stick in a pit, however, the said person managed to fled from the spot. On checking the said pit, approx. 250 liters of illicit liquor was recovered therefrom.

3. The learned counsel for the petitioner, in his asking for the relief (supra), submits that the petitioner is quite innocent and has been falsely implicated in the present FIR. Except the secret information, the investigating agency is not seized of any cogent material/evidence, thus indicative of petitioner's involvement in the alleged crime, and/or, thus establishing any link between the petitioner and the allegedly recovered illicit liquor.

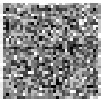
4. The learned counsel for the petitioner further submits that, vide order dated 09.04.2024, the petitioner was granted the concession of interim anticipatory bail by the learned trial Court itself, however, owing to some unavoidable circumstances, when the petitioner could not join the investigation, his anticipatory bail application was dismissed vide order dated 15.04.2024. He submits that, in case, an opportunity is granted to the petitioner, he is ready and willing to join the investigation.

5. Notice of motion for 29.05.2024.

6. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

7. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel on instructions imparted to him by ASI Vijender Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is



not required for any further custodial interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 13.05.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

29.05.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No