

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-51686-2023

Date of decision: 10.01.2024

Hardeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Tanvir S. Grewal, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.200 dated 19.07.2023 under Sections 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) and Sections 420, 467, 468, 471 and 120-B of the IPC registered at Police Station Ateli, District Mahendergarh.

2. On 11.10.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner was not named in the secret information, which was received by the police. It has been further submitted that the petitioner was nominated as an accused on the basis of a disclosure statement allegedly suffered by the co-accused, who were named in the secret information and from whom alleged recovery of 1452 bottles (384+1068 bottles) of illicit liquor was effected.”

3. Learned counsel for the petitioner submits that in compliance of order dated 11.10.2023, the petitioner has joined investigation and cooperated with the investigating agency.

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

5. On a pointed query put to the learned State counsel, he on instructions, has not disputed the submissions made by the counsel opposite that the petitioner has clean antecedents and is not involved in any other criminal case much less a case of similar nature.

6. In view of the above, the petition is allowed and interim order dated 11.10.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

10.01.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No