



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-57833-2024
Date of decision: 13.12.2024

SUSHIL
....Petitioner

Versus

STATE OF HARYANA
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rajesh Sharma, Advocate for
Mr. Sanjeev Kadiyan, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C.,
2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
301	29.09.2024	61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill 2010)	Bhalagarh, District Sonapat

2. Learned counsel for the petitioner submits that in compliance
to the order dated 20.11.2024, the petitioner has joined the investigation.
3. During the course of hearing on 20.11.2024, following order
had been passed: -

“2. It is, inter alia, contended by learned counsel for
the petitioner that the petitioner is innocent and has been
falsely implicated in this case. He contends that the



petitioner is not named in the FIR but has been nominated on the basis of disclosure statement of the co-accused, namely Vikas, from whom the recovery of liquor has already been effected. He contends that the petitioner has no concern with the said co-accused and he is ready to join the investigation.

3. *Notice of motion.*

4. *On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana present in Court, accepts notice on behalf of the State-respondent and has not disputed the fact that the name of the petitioner has figured in the alleged disclosure statement of the co-accused, namely Vikas and further the recovery has already been effected from him. She prays for time to file the status report/reply in the matter.*

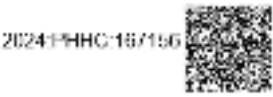
5. *Adjourned to 10.12.2024.*

6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

7. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).”*

4. Learned State counsel on instructions received Investigating Officer of the case informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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 20.11.2024 passed by this Court, interim bail granted vide order dated 20.11.2024 is hereby confirmed, subject to



conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this 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.

13.12.2024
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(SANJIV BERRY)
JUDGE

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