



CRM-M-10817-2025
Date of decision: 12.03.2025

....PETITIONER

Versus

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Prabhjeet Singh Sullar Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

Status report dated 07.03.2025 in the form of an affidavit of Deputy Superintendent of Police, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
1813	13.09.2024	61 of Excise Act and Section 61 (2) of BNS	Haryana State Enforcement Bureau, Ambala, District Ambala.

3. Learned counsel for the petitioner submits that in compliance to the order dated 25.02.2025 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 25.02.2025.



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4. Learned State counsel, on instructions from ISP Mukesh Beniwal, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

5. During the course of hearing on 25.02.2025, following order was passed:

“The Counsel for the petitioner contends that the petitioner is named in the disclosure statement of the arrested accused from whom the recovery of the illicit liquor has been effected. The report under Section 173(2) Cr.PC already stands submitted against the arrested accused.

Notice of motion for 12.03.2025.

On the asking of the Bench, Mr. Arun Kumar Gujjar, Assistant Advocate General, Haryana accepts notice on behalf of the State and prays for time to file reply to the petition.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;*
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any. ”*

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6. 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 25.02.2025 passed by this Court, interim bail granted vide order dated 25.02.2025 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

12.03.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |