



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

201

**CRM-M No.40554 of 2024
Date of decision: 08.01.2025**

AJIT KUMAR ALIAS AJEET**.... Petitioner****Versus****STATE OF HARYANA****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Apoorv Garg, Sr. D.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 218, dated 08.08.2024, Police Station Madlauda, Panipat, registered under Section 61 of BNS and Section 61 of Excise Act, 2020.

2. Vide order dated 22.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 22.08.2024, passed by this Court, reads as under:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 218, dated 08.08.2024, Police Station Madlauda, Panipat, under Section 61 of BNS and Section 61 of Excise Act, 2020.

The brief facts of the present case are that on 08.08.2024, a police party headed by ASI Rohtash, Police Station Madlauda arrested accused



Joginder Singh son of Jaswant resident of village Rahra, District Karnal from a container box fitted on a trolley and recovered 31 bottles of liquor NV Rasila Santra, 45 halves of NV Rasila Santra and 46 quarters of NV Rasila Santra, i.e. total 65 bottles of liquor Rasila Santra and 4 bottles and 6 quarters of English liquor Sterling Reserve total 5½ bottles and two bottles and 4 halves of English liquor OC Blue total 4 bottles from his possession. The accused has failed to produce any permit or licence for keeping the same.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and has been nominated subsequently on the basis of disclosure statement allegedly made by aforesaid Joginder Singh wherein he stated that he is working as a salesman in the liquor vend of the petitioner.

Learned counsel submits that he has falsely been implicated in the present case and that in any case since the entire recovery has already been effected it is not a case warranting custodial interrogation.

Notice of motion for 08.01.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 08.08.2024 and thereafter on 17.10.2024, and no recovery is to be effected from him. However, keeping in view his antecedents to the effect that one more case of similar nature is pending against him, the present petition does not deserve to be allowed.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 22.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

08.01.2025

Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No