IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-13573 of 2015
Date of decision : 18.05.2015

Harbans Singh

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. D.N. Ganeriwala, Advocate
for the petitioner

Mr. Deepak K. Grewal, DAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 17 dated 17.01.2015 registered at Police Station Kallanwali, District Sirsa under Sections 17, 18, 61, 85 of NDPS Act.

Learned counsel for the petitioner contends that the co-accused has already been released on bail and there are two other cases pending against the petitioner but he is on bail in those cases and has been named by the co-accused but recovery has already been effected which is non-commercial quantity. He contends that the petitioner is ready to join the investigation.

On the last date of hearing, the petitioner was asked to place on record copy of the order vide which bail had been allowed to the co-accused. The same has been placed on record.

Perusal of the bail order dated 23.03.2015 shows that bail had been allowed to Taar Singh under Section 167(2) Cr.P.C.

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The allegations are that two people were coming out of a house. The elder one was arrested. The allegations are that the younger person had handed over the bag to the elder person and managed to flee. The petitioner was named by Taar Singh from whom recovery was effected. Taar Singh and the petitioner are related as the petitioner is his nephew. The police wants to interrogate the petitioner to find out the origin of the contraband and they urge that custodial interrogation is necessary.

The occurrence had taken place in a Border District of Haryana and large amount of drugs is entering the State. Custody interrogation is necessary. No case for anticipatory bail is made.

The petition is dismissed.

May 18, 2015 **(ANITA CHAUDHRY)**
reena **JUDGE**

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