

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-15420 of 2015

Date of Decision: October 1, 2015

Ashok Kumar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. C.S. Bakshi, Addl.A.G., Haryana.

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M.M.S. BEDI, J. (ORAL)

Petitioner seeks the concession of pre-arrest bail in a case of recovery of 7 kg. of poppy husk and cash of Rs.80,800/- from Jugraj Singh. The petitioner has been involved in the case on the basis of disclosure statement of Jugraj Singh.

Case of the prosecution as reflected from the FIR is that the petitioner escaped from the spot when intercepted by the police party consisting of 4/5 persons.

Pursuant to the interim order, the petitioner has joined investigation. On the instructions of ASI Aman Pal, it has been informed by the State counsel that the petitioner has not been cooperating in the investigation as he joined investigation only on one day as per the directions of this Court.

I have considered the facts and circumstances of this case. Since the petitioner was not arrested from the spot and that the co-accused of the petitioner has been arrested with non-commercial quantity of poppy husk, he can be granted the concession of pre-arrest bail. Petition is allowed and it is ordered that in case of arrest of the petitioner he will be released on bail to the satisfaction of the arresting officer subject to the following conditions:-

- i) the petitioner will join investigation as and when required by the police;
- ii) he will not tamper with the evidence or hamper the investigation in any manner; and that
- iii) he will not commit the similar offence of which he is accused of during the pendency of the trial.

In case of violation of any of the conditions, it will be open to the prosecution agency to seek cancellation of the bail.

October 1, 2015
sanjay

(M.M.S.BEDI)
JUDGE