

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

Crl.Misc.No.M-6613 of 2015

Date of Decision : 10.3.2015

Chhinderpal @ Chhinder

....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Rajesh Lamba, Advocate
for the petitioner.

Mr.Pravindera Singh Chauhan, Addl.AG, Haryana.

.....

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on bail in terms thereof in a case registered vide FIR No.48 dated 23.1.2015 under Sections 15/61/85 and 27A of NDPS Act, at Police Station Ratia, District Fatehabad.

The petitioner was named by his co-accused as the person from whom 3 Kgs. poppyhusk had been purchased. He was never apprehended from the spot and no recovery was effected from him.

The respondent would say that the petitioner was in touch with the co-accused on telephone and as per their instructions there is no other case against the petitioner. If this is the only material against the petitioner, then I am of the view that subjecting him to the rigors of arrest may not be in the interest of justice considering the possibility of false implication. The petition is thus accepted and the

petitioner is directed to be released on bail in the event of his arrest
subject to his complying with the provisions of Section 438(2) Cr.P.C.

Petition allowed.

10.3.2015

(MAHESH GROVER)
JUDGE

dss