

CRM-M-22124-2016

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

CRM-M-22124-2016

Date of Decision: 29.08.2016

Pamma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.K.Ganga, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

INDERJIT SINGH, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No385 dated 03.06.2016, registered at Police Station Sirsa City, District Sirsa, under Sections 15 and 27-A (added later on) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, Addl. A. G. Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned State counsel and have gone through the record.

As per the prosecution version, 5 kgs of poppy husk were recovered from the co-accused/non-petitioner. The only allegation against the petitioner is that he has supplied the same to the non-petitioner.

CRM-M-22124-2016

Moreover, recovery of 5 kgs of poppy husk falls under non-commercial quantity.

In pursuance of the interim order dated 04.07.2016 passed by this Court, the petitioner has already joined the investigation. He is now not required for custodial interrogation. Nothing is to be recovered from the petitioner.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 04.07.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

29.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No