

CRM-M-24924-2016

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

CRM-M-24924-2016

Date of Decision: 08.09.2016

Ram Niwas

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ajay Arora, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.467 dated 08.07.2016, registered at Police Station City Sirsa, under Sections 21 and 27-A of NDPS Act.

Notice of motion was issued in this case. Learned State counsel has appeared on behalf of the respondent-State and contested this petition. Police record has also been produced.

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

From the record, I find that as per the prosecution version, heroin weighing 7 gm. has been recovered from one Jaskaran Singh @ Jassa/non-petitioner who has made disclosure statement that he had purchased the same from the present petitioner.

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In pursuance of the interim order dated 25.07.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from the present petitioner. The recovery effected in this case falls within the category of non-commercial quantity.

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 25.07.2016, 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.

08.09.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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