

CRM-M-27721-2016

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

CRM-M-27721-2016

Date of Decision: 01.09.2016

Mukesh Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Nipun Verma, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Additional Advocate General, 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.47 dated 29.03.2016, registered at Police Station Satnali, under Section 20 of NDPS Act.

Notice of motion was issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

From the record, I find that as per the prosecution version, the petitioner ran away from the spot and recovery of *ganja* weighing 2 kg 900 gram was effected from the co-accused/non-petitioner. The aforesaid recovery falls under non-commercial quantity.

In pursuance of the interim order dated 11.08.2016 passed by

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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.

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 11.08.2016, 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.

01.09.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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