

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27866 of 2016
DECIDED ON: October 18, 2016

SONU @ SUNIL KUMAR

.....PETITIONER..

VERSUS

STATE OF HARYANA

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Mamli, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.418, dated 24.07.2016, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station City Fatehabad, District Fatehabad.

2. At the time of issuance of notice of motion on 24.08.2016, following order was passed by this Court:-

“Inter-alia, it has been contended by learned counsel for the petitioner that nothing has been recovered from the petitioner. Petitioner has been nominated in the instant case on the basis of disclosure statement of co-accused Bhim Sain who is alleged to have stated that narcotic was purchased by him from the petitioner.

Notice of motion for 18.10.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from ASI Satish Kumar, Police Station City, Fatehabad, District Fatehabad has fairly conceded that in compliance of order dated 24.08.2016, petitioner has already joined the investigation on 17.09.2016. He is no more required for further investigation/interrogation.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 24.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

October 18, 2016
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*