

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-28124 of 2016

Date of Decision: 04.11.2016

Simarjeet alias Kala

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. K.B. Raheja, Advocate
for the petitioner.

Mr. Vishal Garg, Addl.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.388 dated 4.6.2016 under Sections 21 NDPS Act registered at Police Station City Sirsa.

Learned counsel for the petitioner states that pursuant to order dated 16.8.2016 of this Court, the petitioner has joined investigation.

Learned State counsel, on instructions from ASI Naresh Kumar, does not dispute the aforesaid fact, however, he submits that the petitioner has been named by the accused and therefore, his interrogation is necessary.

I have heard learned counsel for the parties.

Considering the fact that the alleged recovery is 5 gms. of heroin, which is a small quantity and the petitioner has joined investigation, the present petition is allowed and the interim order dated 16.8.2016 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

November 04, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No