

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

CRM-M -30287 of 2016 (O&M)
Date of decision: 27.10.2016

Vijay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. V.S. Rana, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Puran Chand.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.0162 dated 15.07.2016, registered under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Jakhal, District Fatehabad.

On 30.08.2016, this Court had passed the following order:-

“Learned counsel contends that recovery was not effected from the possession of the petitioner. Petitioner has been falsely implicated in the present FIR on the basis of the disclosure statement of co-accused Mukhtiar Chand. He further states that petitioner is not involved in any other FIR under Narcotic Drugs and Psychotropic Substances Act (in short 'NDPS').

Notice of motion for 27.10.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

1.That he shall make himself available for interrogation by a police officer as and when required;

2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3.That he shall not leave India without prior permission of the Court. ”

It is contended that in pursuance of the order dated 30.08.2016, the petitioner has joined the investigation

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 30.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

27.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No