

CRM No. M-31826 of 2016
DECIDED ON: OCTOBER 21, 2016

KRISHAN KUMAR

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail in case FIR No. 421 dated 20.07.2016 under Section 18 of NDPS Act registered at Police Station Ratia, District Fatehabad

At the time of issuance of notice of motion on September 09, 2016, the following order was passed by this Court:

“Inter-alia, it has been contended by learned counsel for the petitioner that name of the petitioner does not figure in the FIR and he has been arrayed/nominated as accused only on the basis of disclosure statement alleged to have been suffered by one Subhash, from whom, Opium weighing 300 grams is alleged to have been recovered by the police. There is no recovery of any sort of contraband from the petitioner.

Notice of motion for 21.10.2016.

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

Learned State counsel, on instructions from ASI Shishpal, has candidly submits that in compliance of afore-said order, petitioner has joined the investigation and he is no more required for further investigation.

In view of above, order dated September 09, 2016 is hereby, made absolute and shall enure during the pendency of trial.

However, petitioner shall be abide by all the terms and conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

OCTOBER 21, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned *Yes/No*

Whether Reportable *Yes/No*