

**Sr. No. 204
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-31406 of 2015
Date of Decision: 25.01.2016**

Jeet Singh

...Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vinay Arora, Advocate,
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

TEJINDER SINGH DHINDSA.J.

Petitioner seeks concession of pre-arrest bail in case FIR No.179 dated 13.07.2015, under Sections 21/22/61/85 of Narcotic Drugs and Psychotropic Substances Act (For short 'NDPS Act'), registered at Police Station Kalanwali, District Sirsa.

Even as per prosecution version, the alleged recovery of 17 bottles of Rexcof was found from co-accused Nachatar Singh @ Kala and Bhupinder Singh @ Bogarh. Present petitioner is stated to be implicated in the present case on the disclosure statements suffered by the two other co-accused as noticed here-in-above. There is no recovery from the present petitioner.

It has also gone uncontroverted that the petitioner is not involved in any other proceedings under the NDPS Act.

On 13.10.2015, the following order was passed by this Court:

“Learned counsel for the petitioner contends that 17

bottles of Rexcof were recovered from the co-accused which is a non-commercial quantity. Petitioner was not apprehended at the spot. His name appeared in the disclosure statement of co-accused namely, Nachhattar Singh alias Kala. Petitioner is ready to cooperate with the investigating agency.

Petitioner is directed to join the investigation forthwith. However, meanwhile, in the event of his arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer subject to the following conditions:-

i) He shall make himself available for interrogation by a police officer as and when required;

ii) 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

iii) He shall not leave India without the previous permission of the court.

To come up on 3.12.2015.”

Learned State counsel upon instructions from ASI Raghubir Singh would apprise the Court that the petitioner has since joined investigation.

Under such circumstances, custodial interrogation of the petitioner would not be warranted. Petition is allowed. Order dated 13.10.2015, passed by this Court, is made absolute.

Disposed of.

25.01.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**