

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

CRM No.M-34673 of 2016 (O&M)

Date of decision: November 29, 2016

Malkit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Malkit has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.475 dated 14.08.2016 registered at Police Station City Fatehabad, District Fatehabad, under Sections 18 and 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per prosecution version, non-petitioner/accused Ajwinder Singh alias Ajay son of the present petitioner was apprehended along with 750 gms of opium and he made a disclosure statement to the effect that this opium was handed over to him by his father Malkit i.e. the present

petitioner. Moreover, in pursuance of the order dated 28.09.2016, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 28.09.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 29, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No