

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

**CRM-M No.36845 of 2016 (O&M)
Date of decision : 24.10.2016**

Kulwinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Additional A.G., Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.432, dated 29.05.2016 registered under Sections 15/18/27/27-A/61/85 of NDPS Act at Police Station Sadar Karnal, District Karnal.

As per the allegations a truck was stopped with 250 kg. of poppy husk and two persons were arrested.

Learned counsel for the petitioner states that neither the petitioner was named in the FIR nor was he arrested from the spot and is being falsely implicated.

Learned Additional Advocate General on instructions from Investigating Officer states that though the petitioner is involved in one or two other cases but it is correct that he was not arrested from the spot.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 04.11.2016 and on any other date as and when his presence is required. On his appearance the I.O. shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438 (2) Cr.P.C. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

24.10.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No