

CRM-M No.37038 of 2016 (O&M)

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

**CRM-M No.37038 of 2016 (O&M)
Date of decision : 26.10.2016**

Anil @ Neelu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Satish Saini, DAG, 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 22.07.2016 registered under Section 20 of NDPS Act at Police Station Samalkha, District Panipat.

On 19.10.2016 the following argument was raised :-

“Learned counsel for the petitioner has argued that the petitioner was not arrested from the spot and he was

implicated because his wife was arrested and some alleged recovery was made from her. He has further argued that no case is pending against the petitioner.”

Learned Deputy Advocate General states that 13 kgs of *ganja* was recovered from the house of the petitioner and no other case is pending against him and accepts that the wife of the petitioner is in custody.

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 07.11.2016 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.

26.10.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No