

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

**CRM No.M-37071 of 2016 (O&M)
Date of Decision: December 06, 2016**

Chanderpal

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.P.S.Mehrok, Advocate
for the petitioner.

Mr.Vikramjit Singh, Addl. Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0540 dated 28.08.2016 under Section 18 NDPS Act, Police Station Bhiwani Sadar, District Bhiwani.

Notice of motion was issued and learned State counsel appeared and contested the petition.

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

From the record, I find that , as per the FIR 50 gram of opium was recovered from the cautious possession of Sunil and present petitioner has been nominated in this case on the basis of statement of co-accused that he purchased this opium from present petitioner.

The recovery effected from the co-accused is non-commercial. The petitioner has already joined the investigation. He is not required for interrogation or investigation purposes. Nothing is to be recovered from him. No useful purpose will be served by sending the petitioner to custody till the disposal of the case.

Therefore, finding merit in the present petition, the same is allowed. The order dated 19.10.2016 granting interim bail to the petitioner is made absolute.

December 06, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No