

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-38107 of 2016

.....

Date of decision:8.12.2016

Mohan

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Inderjit Sharma, Advocate for the petitioner.

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

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.252 dated 9.10.2016 registered for the offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station Narwana Sadar, District Jind.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Additional Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that in the present case the recovery

[2]

effected is only 15 Kgs. 500 Grams of poppy husk which falls in non-commercial quantity. The petitioner was not apprehended on the spot.

The present petitioner has already joined the investigation. He is not required for any custodial interrogation. The recovery has already been effected. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 24.10.2016 passed by this Court 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.

December 8, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No