

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

CRM No.M-38718 of 2016 (O&M)

Date of decision: December 15, 2016

Vijay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gourav Jain, Advocate
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Vijay has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.214 dated 25.09.2016, registered at Police Station Jakhal, District Fatehabad, under Sections 21-B of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 18-C of Drugs and Cosmetics Act.

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.

From the record, I find that 7 bottles of *corex* and 13 strips of *carisoma* tablets were recovered from the bag which alleged to have been thrown away by the present petitioner, who ran away from the spot. The recovery falls in non-commercial quantity.

Moreover, in pursuance of the interim order dated 27.10.2016, 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 27.10.2016, 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.

December 15, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No