

CRM-M-5237 of 2016

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

Sr. No. 202

CRM-M-5237 of 2016

Date of decision: July 26, 2016

Sohan Lal @ Sonu

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Mamli, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J

This is a petition preferred by the petitioner under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No. 508, dated December 30, 2015, under Sections 21/61/85 of Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Sadar Tohana, District Fatehabad.

During the pendency of instant petition, the coordinate Bench of this Court passed the following order on March 01, 2016:-

“After hearing learned counsel for the parties, this Court deems it appropriate to direct the petitioner to join the investigation before final adjudication of the present petition.

Adjourned to 23.4.2016.

The petitioner shall appear before the Investigating Officer on 17.3.2016, at 10:00 a.m. and cooperate with him (I.O.).

In the event of arrest, the petitioner shall be released

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on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the arresting officer. The petitioner shall also abide by all the conditions laid down under Section 438(2), Cr.P.C.”

On instructions from SI Pushpinder Kumar, learned State counsel has fairly conceded that in compliance of order dated March 01, 2016, petitioner has already joined the investigation and no intoxicated substance/material has been recovered from the petitioner. However, only a motor cycle alleged to have been used in the commission of offence has been recovered. She further submits that he is no more required for further interrogation.

Taking into consideration the above facts of the case, interim order dated March 01, 2016 is made absolute, subject to the conditions, as envisaged under Section 438(2) Cr.P.C.

July 26, 2016

Sham/Ankur

**(JASPAL SINGH)
JUDGE**