

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.7937 of 2016

Date of Decision:-08.04.2016

Birender.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jagraj Singh Khiva, Advocate for the Petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
assisted by ASI Dharampal.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner-Birender in case FIR No.25 dated 08.02.2016 under Sections 15/16/61/27-A/85 of the NDPS Act, Police Station Ding, District Sirsa.

At a *nakabandi* on 8.2.2016 co-accused Subhash Chander was arrested with 8.5 kilograms of poppy husk. Petitioner has been nominated as accused on his disclosure/confessional statement as supplier of the said poppy husk.

It is contended that the petitioner is +2 Student and is not involved in any criminal activity. It is further submitted that first disclosure

statement given by the co-accused reveals that the contraband was purchased from someone from Rajasthan. However, subsequently, a second contradictory confessional statement has been procured whereby name of the petitioner has been falsely roped in.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation.

Learned State counsel assisted by ASI Dharampal submits that pursuant to the interim order passed by this court petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the above, interim protection/pre-arrest bail granted vide order dated 04th of March, 2016 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

April 08, 2016
Vinay