

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

202

CRM-M-11654 of 2017 (O&M)

Date of Decision: August 04, 2017

Mahender Singh

....Petitioner

vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Manvinder Sidhu, Advocate
for the petitioner.

Mr. Ramakant Sharma, AAG, Haryana

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C., seeking concession of pre-arrest bail to the petitioner in FIR No.49 dated 07.03.2014, under Sections 15, 16-C, 29, 27-A, 61 & 85 of NDPS Act and Section 216 IPC, registered at Police Station Kalanwali, District Sirsa.

On 13.04.2017, the following order was passed by this Court:-

“Petitioner seeks concession of anticipatory bail in case FIR No.49 dated 07.03.2014, under Sections 15/16-C/29/27-A/61/85 of the NDPS Act and Section 216 of the IPC, registered at Police Station Kalanwali, District Sirsa.

During the course of arguments today, it has gone uncontroverted that no recovery was effected from the present petitioner and after completion of investigation, charges were framed against the petitioner only under Section 216 IPC. Petitioner has been regularly attending the trial Court proceedings.

In pursuance to an application moved by the prosecution, charge under Section 27-A of the NDPS also stands framed against the petitioner. It is the contention raised by counsel appearing for the petitioner that he is a Government employee and had earlier been granted bail and had joined trial proceedings. It stands conceded by learned State counsel who is on instructions from ASI Atma Ram that the petitioner otherwise has clean antecedents and is not involved in any other case under the NDPS Act.

List on 02.05.2017.

Meanwhile, it is directed that in case the petitioner duly puts in appearance before the trial Court on the date already fixed i.e. 25.04.2017, he would be entitled to interim bail subject to satisfaction of the trial Court."

Counsel representing the petitioner has produced for perusal of this Court, certified copy of order dated 25.04.2017, passed by the Learned Additional Sessions Judge, Sirsa and in terms of which, the petitioner has duly appeared before the trial Court and has been admitted to interim bail on having furnished requisite bail bonds.

In view of the fact that the petitioner has joined the trial proceedings and coupled with the observations made by this

Court in the order dated 13.04.2017, prayer raised in the instant petition for grant of anticipatory bail is accepted.

Order dated 13.04.2017, passed by this Court is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.08.2017
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***Whether speaking/reasoned* : Yes/No**
***Whether reportable* : Yes/No**