

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

CRM-M -1316 of 2017 (O&M)

Date of decision: 09.03.2017

Mahavir Chaudhary

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Khehar, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.848 dated 14.11.2016, registered under Sections 22 (B) and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Sirsa, District Sirsa.

On 18.01.2017, this Court had passed the following order:-

“Learned counsel contends that no recovery is effected from the petitioner. The petitioner has been implicated in the present FIR on the statement of co-accused, namely Sandesh @ Sonu that he allegedly procured these contrabands from the petitioner. He further contends that the petitioner is not involved in any other FIR.

Notice of motion for 09.03.2017.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1.That he shall make himself available for interrogation by a police officer as and when required;*
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3.That he shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of the order dated 18.01.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 18.01.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

09.03.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No