

CRM-M-19487-2017

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

CRM-M-19487-2017

Date of Decision: 29.08.2017

Kaka

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. M.R.Sharma, Advocate,
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Kaka has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.81 dated 07.05.2017, registered at Police Station Cheeka (Kaithal), under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued in this case. Learned State counsel put in appearance 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 it is a case of recovery of poppy husk weighing 1 kg 140 grams from a polythene bag. The present petitioner ran away from the spot.

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In pursuance of the interim order dated 26.05.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected in the present case. Therefore, no useful purpose will 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 26.05.2017, 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.

29.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No