

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

205

**CRM-M-21847 of 2017
DATE OF DECISION:22.08.2017**

KRISHAN

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vivek Khatri, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.276 dated 05.05.2017, under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Ratia, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and he has been arrayed as an accused on the basis of statement of one Kuldeep Singh @ Kala from whose vehicle, 513 grams of opium was recovered. The petitioner is not connected with the vehicle, either as an owner or driver. He further contends that no other case has been registered against the petitioner.

To support his contention, learned counsel has relied upon a judgment of co-ordinate Bench of this Court passed in CRM No.M-14832 of 2016 decided on 20.10.2016, wherein in a similar petition where the accused was not arrested from the spot and was neither the owner nor driver of the vehicle from which the recovery was effected, he was granted the concession of anticipatory bail.

This Court, by the order dated 07.07.2017, had directed the petitioner to join the investigation and he was to be released on interim bail subject to the satisfaction of the Investigating/Arresting Officer.

Learned State counsel, upon instructions from ASI Rameshwar Dayal, states that the petitioner has joined investigation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 07.07.2017 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

August 22, 2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

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