

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

CRM-M-24769-2017

Date of Decision: 28.09.2017

Jasbir Singh @ Jassu Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Daljeet Singh Virk, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.(Oral)

Petitioner-Jasbir Singh @ Jassu Singh 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.75 dated 16.05.2017, registered at Police Station Sadar Sirsa, under Sections 15, 16 and 27-A of the NDPS Act, 1985.

Notice of motion was issued in this case. Learned State counsel has 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 in the present case, recovery is of 800 gram poppy husk only, which has been effected from the co-accused. The co-accused has given the statement that he has bought the same from the

present petitioner.

In pursuance of the interim order dated 14.07.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected from the co-accused and nothing is to be recovered from the present petitioner. 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 14.07.2017, 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.

28.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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