

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

**Crl. Misc. No.M-14814 of 2018 (O&M)
Date of Decision: May 31, 2018**

Ashwani

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kulwinder Singh, Advocate for
Mr. S.S. Sarwara, Advocate
for the petitioner (s).

Mr. Ashish Yadav, Addl.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.18 dated 01.02.2018 registered for the offence punishable under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sector-14, Panchkula.

Heard.

Learned counsel for the petitioner submits that petitioner has joined the investigation under Order dated 09.04.2018. No recovery was effected from him and he was nominated in this case only on the basis of disclosure statement of co-accused Ajay.

Learned State counsel submits that petitioner has joined the investigation, but he is a drug peddler and is not giving clue to the police

about his activities.

Petitioner is not named in the FIR. The police arrested co-accused Ajay and effected recovery of “3 kg 9.00 grams” of *ganja* from his custody. During investigation, Ajay suffered a disclosure statement that *ganja* recovered from him was supplied by the present petitioner.

Keeping in view the fact that petitioner has joined the investigation and information supplied by co-accused Ajay is subject matter of verification in further investigation, but without expressing any opinion on the merits of the case, this petition is allowed. Order dated 09.04.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court;
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

May 31, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

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

Whether Reportable: ***Yes/No***