

**CRM-M-19559-2018**

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

**CRM-M-19559-2018**

**Date of Decision: 19.07.2018**

Jatinder Singh @ Kaka

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Satnam Singh Gill, Advocate,  
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

**INDERJIT SINGH, J. (Oral)**

Petitioner-Jatinder Singh @ 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.193 dated 11.04.2018, registered at Police Station Pehowa, District Kurukshetra, under Sections 21 and 29 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 as per the prosecution version, 10 grams of heroin has been recovered from co-accused Yadwinder Singh @

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Yad. The petitioner has been nominated on the statement of co-accused that he had purchased the same from the present petitioner.

In pursuance of the interim order dated 09.05.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected which otherwise falls in non-commercial quantity. Therefore, no useful purpose will be served by sending him 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 09.05.2018, 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.

However, nothing stated above shall constitute my opinion on merits of the case.

**19.07.2018**

parveen kumar

**(INDERJIT SINGH)  
JUDGE**

|              |                           |   |     |
|--------------|---------------------------|---|-----|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes |
|              | Whether reportable        | : | No  |