

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

Criminal Misc.No.M-33488 of 2018 (O&M)

Date of Decision : 31.10.2018

Satwinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. S.S.Momi, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of pre-arrest bail in case FIR No.119 dated 07.07.2018, registered under Sections 29 and 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (in short 'the Act'), at Police Station Jhansa, District Kurukshetra.

It has been submitted that 08 grams smack was recovered from main accused namely Yogesh and Uday. The said recovery falls within the non-commercial quantity of the contraband. The provision of Section 37 of the Act is not applicable in the present case. The petitioner has been arrayed as an accused solely on the disclosure statement of co-accused.

Learned State counsel has stated that the petitioner has joined the investigation, nothing is to be recovered from him and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case,

I do not deem it appropriate to deny the concession of anticipatory bail to

the petitioner in the present case.

Resultantly, the interim order dated 29.08.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

31.10.2018

mamta

Whether speaking/reasoned
Whether Reportable :

(RAJ SHEKHAR ATTRI)

JUDGE

Yes/No
Yes/No