

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-41155-2017(O&M)

Date of Decision: 27.03.2018

Naresh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Manjit Kaur, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.255 dated 16.10.2017 under sections 15, 61, 85 of N.D.P.S Act, registered at Police Station, Sadar Narwana, District Jind.

On 2.11.2017, while issuing notice of motion, the following order was passed by this Court:-

“It is inter alia contended that the alleged recovery of 2 kg of poppy husk is from outside the hotel of the petitioner and not from his conscious possession and that nothing remains to be recovered from the petitioner.

Notice of motion for 27.03.2018.

Meanwhile, in the event of arrest, the petitioner be admitted to interim bail on his furnishing bail bonds to the satisfaction of arresting/Investigating Officer; he will join investigation and will abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Sarabjit Singh would apprise the Court that the petitioner has since joined investigation.

The alleged recovery in the present case is of 2 kgs of poppy husk.

Court has further been informed that the petitioner is involved in yet another case under the N.D.P.S Act in which the alleged recovery was of 1½ kgs of poppy husk and in which petitioner has been granted benefit of bail.

Petitioner having joined the investigation, his custodial interrogation, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 2.11.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

27.03.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No