

Sr. No.213

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

CRM No. M-44283 of 2017 (O&M)

Date of Decision: 16.04.2018

Kuldeep Sharma

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Gaurav Singla, Advocate,
for the petitioner.

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

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.506 dated 14.09.2017, under Sections 18/21 of NDPS Act, registered at Police Station Sector-5, Panchkula, District Panchkula.

On 06.12.2017, the following order was passed by this Court:-

“The petitioner is seeking anticipatory bail in FIR No.506 dated 14.09.2017, under Section 18/21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Sector-5, Panchkula.

Learned counsel for the petitioner contends that the petitioner was neither apprehended at the spot nor any recovery was effected from him. He was implicated only on the basis of disclosure statement of the accused Rajesh Sharma, who also happens to be the

brother of the petitioner. He further contends that the recovery in this case is of 150 grams of opium and 6.25 grams of heroin, which is a non-commercial quantity.

Adjourned to 05.02.2018.

In the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner are also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

State counsel upon instructions from ASI Karam Singh apprises the Court that the petitioner has since joined investigation.

The observations made by this Court in the order dated 06.12.2017 have gone unrebutted.

Petitioner is stated to be not involved in any other case under the NDPS Act.

For the reasons recorded above, prayer made in the petition is accepted.

Order dated 06.12.2017, passed by this Court is made absolute.

Disposed of.

16.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No