

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

Criminal Misc. No. M-47164-2018

Date of Decision: 26.11.2018

Jaswinder Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Kirpal Singh, Advocate for
Mr. Abhilaksh Grover, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

...

Inderjit Singh, J.(Oral)

Petitioner Jaswinder Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.236 dated 25.08.2018, registered at Police Station Parao Amabala Cantt., District Ambala, under Section 21 of the NDPS Act, 1985.

Notice of motion was issued in this case.

Learned State counsel has appeared 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.

As per the prosecution version, recovery of 5.7 grams of heroin has been effected from co-accused Harpreet Singh @ Prince and the present petitioner has been nominated on his disclosure statement that he has purchased it from the present petitioner.

In pursuance of the interim order dated 26.10.2018, passed by

this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected in this case. No useful purpose would be served by sending the petitioner 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 26.10.2018, 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.

26.11.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No