

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51903-2018

Date of Decision: 11.12.2018

Balwant Singh (Balraj Pandit as per FIR)

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Chaudhary, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.529 dated 30.09.2018, registered at Police Station Ratia, District Fatehabad, under Section 15 of the NDPS Act, 1985.

Notice of motion was issued.

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, 8 kg of poppy husk has been recovered from co-accused Kuku Singh. The only allegation against the present petitioner is that co-accused Kuku Singh has purchased it from him.

In pursuance of the interim order dated 26.11.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. The recovery has already been effected,

which falls in non-commercial quantity. No useful purpose would 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 26.11.2018, 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.

11.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No