

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52692-2018

Date of Decision: 19.12.2018

Arun Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rahul Vats, Advocate for
Mr. Bhupender Singh Saroha, Advocate the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Arun Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.559 dated 10.11.2018, registered at Police Station Sadar Thanesar, District Kurukshetra (Haryana), under Sections 18 and 29 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, 80 grams of opium has been recovered from co-accused Kuldeep Singh and the present petitioner has been nominated on the basis of disclosure statement of co-accused Kuldeep Singh that he has purchased it from him.

In pursuance of the interim order dated 30.11.2018, 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, 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 30.11.2018, 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.

19.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No