

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

**CRM-M No. 1256 of 2019
Date of Decision:-25.03.2019**

Sanjay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 1233 dated 23.12.2018, under Sections 15 and 29 of NDPS Act, registered at Police Station Sadar, Hisar, District Hisar.

On 14.1.2019, this Court had passed the following order :-

“Upon recovery of 65 kg poppy straw from accused Sandeep FIR No.1233 dated 23.12.2018 under Sections 15 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 was registered at Police Station Sadar Hisar, District Hisar. Learned counsel for the petitioner has argued that on the basis of the statement of accused Sandeep Singh, present petitioner, namely,

Sanjay Kumar has been indicted. It is stated that the said statement may not be admissible in evidence; besides there is nothing to associate the petitioner with the said accused Sandeep.

Notice of motion for 25.03.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 14.1.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of ASI Phool Kumar submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 14.1.2019, is made absolute.

The petition stands allowed.

March 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No