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

CRM-M-11762 of 2019

Date of decision: October 16, 2019

Sukhdev Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Lalit Sharma, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.33 dated 09.02.2019, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Mahesh Nagar, District Ambala.

On 18.03.2019, this Court has passed the following order:-

“Contends that there is no recovery from the petitioner, rather the alleged contraband has been recovered from the co-accused of the petitioner, namely, Vijay Pal Singh and the petitioner has been named on the basis of disclosure statement of said co-accused.

Let the relevant call details of the petitioner be brought on record.

Adjourned to 23.04.2019.

In the meanwhile, the petitioner is directed to join

the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing in the present case on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Khushi Ram, has fairly stated that in terms of order dated 18.03.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 18.03.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 16, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No