

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.23723 of 2018
Decided on: 18.01.2019

Kuldeep

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Surinder Singh, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.240 dated 09.03.2018, registered under Sections 21 and 25 of the NDPS Act at Police Station City Karnal, District Karnal.

The operative part of the order dated 30.05.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...It is the contention of the learned counsel for the petitioner that the petitioner is a Constable in Delhi Police. He is not named in the FIR, however, the co-accused of the petitioner, namely, Vijay Kumar, who was arrested along with three others with 452 gms. of heroine, has disclosed that this heroine was supplied by the petitioner. Counsel contends that there is no other case registered against the petitioner and the petitioner being a Government official is not likely to abscond. He further contends that the petitioner is ready and willing to join investigation and co-operate with the same.

Notice of motion, for 20.07.2018....”

Thereafter, the petitioner on the asking of the Investigating Officer was again directed to rejoin the investigation and it is apparent that he has joined the investigation more than once.

Counsel for the petitioner has submitted that, in pursuance to the order dated 25.10.2018, the petitioner has again joined the investigation.

On the other hand, counsel for the State, on instructions from SI Dilpreet, submits that the petitioner is still required for further investigation, however, no appropriate reasons for the same have been informed to the Court.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 30.05.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

18.01.2019
yakub

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No