

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

**CRM-M No.12890 of 2019 (O&M)
Date of Decision: 20.08.2019**

Baljinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.277 dated 29.11.2018, under Section 22 (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kalanwali, District Sirsa.

On 01.05.2019, this Court passed the following order:-

“ As per the case of the prosecution, neither the petitioner was present on the spot, nor any recovery has been effected; rather the contraband was recovered from the brother of the petitioner namely, Jaspal Singh @ Pala from the fuel tank of the motorcycle driven by him. Further contends that the main accused has already been granted the concession of interim bail by this Court vide order dated 15.01.2019 till the receipt of FSL report.

Learned State counsel seeks time regarding receipt of FSL report.

Adjourned to 30.07.2019.

In the meanwhile, the petitioner is directed to join 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 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. ”

Contents that in terms of above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from A.S.I. Bharat Singh, has acknowledged that in terms of order dated 01.05.2019, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 01.05.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

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

Disposed off accordingly.

August 20, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>