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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29275-2018
Date of decision-02.04.2019

Amit Kumar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. D.S.Virk, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Satbir Singh.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.90 dated 20.06.2018 registered under Sections 15, 16, 61 and 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Nasthusari Chopta, District Sirsa.

On 16.07.2018, this Court had passed the following order:-

*“It has been submitted that from two persons namely Pardeep Kumar and Kishore Singh, 17 Kgs 300 grams of poppy husk was recovered which was kept in the bootspace of the car. They, however, disclosed that this contraband was arranged by the petitioner and on the basis of their statements, the petitioner has been nominated. Recovery effected from above said Pardeep Kumar and Kishore Singh falls within non-commercial quantity of contraband.
Notice of motion for 1.11.2018.*

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on ad interim bail till the next date, subject to his furnishing bonds to the satisfaction of SHO/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Code of Criminal Procedure failing which he shall lose the benefit of interim bail allowed to him.”

Learned counsel for the petitioner contends that in pursuance of the order dated 16.07.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Satbir Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, the interim bail granted by this Court vide order dated 16.07.2018 is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

02.04.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No