

**CRM-14656-2019 in/and
CRM-M-16616-2019**

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

**CRM-14656-2019 in/and
CRM-M-16616-2019**

Date of decision-02.07.2019

Gagandeep Singh @ Hunny

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.B.S.Sidhu, Advocate for the petitioner.

**Mr. Vikramjit Singh, Addl.A.G.Haryana assisted by
ASI Ram Niwas.**

MANOJ BAJAJ, J.

CRM-14656-2019

Application is allowed as prayed for.

Annexure P-1 is taken on record.

Main case

**This petition has been filed by the petitioner under Section 438
Code of Criminal Procedure for grant of anticipatory bail in case FIR No.16
dated 19.01.2019 under Section 21 of Narcotic Drugs and Psychotropic
Substances Act, 1985 Act registered at Police Station City Mandi Dabwali,
District Sirsa. The petitioner apprehended his arrest at the hands of Police.**

**Learned counsel for the petitioner has invited the attention of
the Court to the order dated 11.04.2019 whereby while issuing notice of**

motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that it was Sikender Singh, who was apprehended with 10 grams of heroin by the police and subsequently on his disclosure, one Rajesh Jain was indicted as an accused on the ground that the said contraband was purchased from him. It is contended that said Rajesh Jain also suffered disclosure, wherein the petitioner has been indicted. According to learned counsel, the said statement may not be admissible.

Notice of motion for 02.7.2019.

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 further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Ram Niwas does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Ram Niwas further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.04.2019 is made absolute.

However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

02.07.2019

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No