

213-2

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

CRM-M-19425 of 2019

Date of decision: October 16, 2019

Mohinder Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Lalit Sharma, Advocate for
Ms. Garima 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 03.05.2019, this Court has passed the following order:-

“Learned counsel for the petitioner contends that the co-accused of the petitioner, namely Sukhdev Sharma has filed a petition, i.e. CRM-M-11762 of 2019 for grant of anticipatory bail and the same is pending for 10.05.2019.

Adjourned to 10.05.2019.

To be heard along with CRM-M-11762 of 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) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from ASI Khushi Ram, has fairly stated that in terms of order dated 03.05.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 03.05.2019 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