

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

**CRM-M No. 41362 of 2018
Date of Decision:-14.02.2019**

Pohla Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Manoj Sharma, Advocate for
Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 20 dated 11.1.2018, under Sections 15/27-A of NDPS Act, registered at Police Station Sadar Bahadurgarh, District Jhajjar.

On 31.10.2018, this Court had passed the following order :-

“Through this application, applicant/petitioner is seeking extension of time to surrender before the investigating agency in FIR No.20 dated 11.01.2018 registered at Police Station Sadar Bahadurgarh, District Jhajjar.

Vide order dated 23.10.2018 of this court, petitioner was directed to surrender before the investigating officer within seven days.

Learned counsel for the applicant/petitioner seeks some more time.

Now, applicant/petitioner is again directed to surrender before the investigating officer within seven days or as and when required. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of arresting/investigating officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

Application stands disposed of accordingly.”

It is contended by learned counsel for the petitioner that the petitioner has been indicted on the basis of statement given by accused Suresh, whereby it is disclosed that petitioner Pohla Singh had introduced the accused with one Rafi, from whom the alleged contraband was purchased.

This fact is not disputed by learned State counsel.

Learned counsel for the petitioner contends that in pursuance of the order dated 31.10.2018, the petitioner has joined the investigation.

Learned State counsel on instructions of ASI Yomesh Kumar submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated

31.10.2018, is made absolute.

The petition stands allowed.

February 14, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No