

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

**CRM-M No.48568 of 2018 (O&M)
Date of Decision: 09.04.2019**

Satpal Singh @ Bali

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. K.S.Dhaliwal, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, 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 FIR No.178 dated 29.09.2018, under Section 22-C of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jakhal, District Fatehabad.

This Court, while issuing notice of motion on 01.11.2018, passed the following order:-

“ In the present petition, petitioner has sought for anticipatory bail in case FIR No. 178 dated 29.09.2018, under Sections 22-C of NDPS Act, registered at Police Station Jakhal, District Fatehabad.

Learned counsel for the petitioner submitted that petitioner is entitled to the benefit of anticipatory bail on the ground that FSL report is yet to be received. Affidavit in this regard has been furnished by the petitioner.

Learned State counsel has not disputed the aforesaid facts as well as factual position of this case that FSL report has not been received so as to ascertain whether recovered intoxicant is commercial or noncommercial.

Heard learned counsel for the parties.

*In view of these facts and circumstances, petitioner is entitled to the benefit of anticipatory bail in terms of the order passed in case titled as **Inderjit Singh @ Laddi v. State of Punjab** reported in 2014(3) RCR (Criminal).*

Notice of motion for 17.12.2018.

Petitioner is directed to appear before the Investigating Officer and join the investigation.

the event of his appearance, Investigating Officer shall release him on interim bail on his furnishing bail/surety bonds to his entire satisfaction. He shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C

However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or other wise interfere with the fair investigation. ”

It is contended by learned Counsel for the petitioner that in pursuance of the above order, petitioner has joined the investigation and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Suresh Kumar.

In view of above, interim order dated 01.11.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

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

The observations may not be considered as an expression of opinion on the merits of the case.

April 09, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes