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

CRM-M-26967 of 2019

Date of decision: July 29, 2019

Gaurav Chhatri @ Amit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Sub Inspector-Jitender Kumar.

MAHABIR SINGH SINDHU, J (Oral)

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 the petitioner, in FIR No.74 dated 12.03.2019, under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Parao, District Ambala.

As per prosecution case, petitioner has been implicated on the basis of disclosure statement made by co-accused-Nitesh Kumar.

On 17.06.2019, while issuing notice of motion, this Court has passed the following order:-

“Learned counsel for the petitioner states that co-accused Nitesh Kumar, in his disclosure statement, has named two persons, i.e. petitioner Gaurav Chhatri @ Amit and one Rahul.

Learned counsel for the petitioner further states that the petitioner was not present at the spot and co-accused Rahul, who was also named by aforesaid Nitesh Kumar, has already been granted concession of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 07.05.2019 passed in CRM-M-17250-2019.

Notice of motion for 29.07.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

It has been stated by Sub Inspector Jitender Kumar that petitioner has joined investigation in terms of order dated 17.06.2019 and his custodial interrogation is not required.

In view of the above, order dated 17.06.2019 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 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

July 29, 2019
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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No