

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

CRM-M-27052-2019

Date of decision-10.07.2019

Harpreet Singh

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S.Randhawa, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Mohan Singh.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.63 dated 03.06.2019 under Section 22-C of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Baragudha, District Sirsa. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 19.06.2019 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 has submitted that the petitioner has been involved in the present case on the disclosure statement suffered by co-accused Baljinder Singh, from whom 39400 tablets of Tridol 100 (Tramadol Hydrochloride tablet 100 mg) were recovered.

Notice of motion for 10.7.2019.

At the asking of the Court Mr. Chetan Sharma, AAG, accepts notice on behalf of the State.

Copy of the paper book be supplied to the learned State counsel during the course of the day itself.

Learned State counsel seeks time to file affidavit of the

concerned police officer qua the role attributed to the petitioner.

Adjourned to 10.7.2019.

In the meanwhile, petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 sub Section 2 Clause (i), (ii) and (iii) of the Code of Criminal Procedure.

Interim bail is granted to the petitioner till the next date of hearing.”

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 Mohan Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Mohan Singh 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 19.06.2019 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.

(MANOJ BAJAJ)
JUDGE

10.07.2019
vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No