

CRM-M-29660-2019

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

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Date of Decision: 11.09.2019

Parveen Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Choudhary, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.102 dated 24.03.2019, registered at Police Station Sadar Fatehabad, District Fatehabad, under Section 21(b) of the NDPS Act, 1985.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and filed reply by way of affidavit of Sh. Subhash Chander, HPS, Deputy Superintendent of Police, City Fatehabad. The same is taken on record. He has contested the present petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that 15 grams of heroin has been

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recovered from co-accused Arveen Singh @ Parveen, who made the disclosure statement during investigation that he had purchased the same from the present petitioner.

In pursuance of the interim order dated 17.07.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 17.07.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

11.09.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No