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

CRM-M-37126 of 2019

Date of decision: October 30, 2019

Surender Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Surinder Gandhi, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J

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 petitioner, in complaint case No.COMA/2174/2018 dated 07.07.2018, under Sections 18(c), 18-A, 18-B and 22(1)(cca), punishable under Sections 27(b)(ii), 27(d) and 28 of the Drugs and Cosmetics Act, 1940, titled as 'State (Through Drugs Control Officer, Bhiwani, Haryana) versus Ramesh Kumar and others'.

On 09.09.2019, this Court has passed the following order:-

“Learned counsel for the petitioner contends that the petitioner was not present at the spot when the alleged recovery was effected.

Learned State counsel wishes to verify the above factual position.

Adjourned to 30.10.2019.

In the meantime, petitioner is directed to join the proceedings before learned trial Court and he be released

on interim bail till the next date of hearing on his furnishing adequate bail bonds/surety bonds subject to its satisfaction.”

Learned counsel for the petitioner contends that in terms of interim order dated 09.09.2019 passed by this Court, the petitioner has joined proceedings before learned trial Court and has also furnished necessary bail/surety bonds. He has also submitted that now the petitioner is appearing regularly before learned trial Court.

The above factual position is duly acknowledged by learned State counsel, on instructions from Hemant Grover, Drug Control Officer, Bhiwani.

In view of the above, order dated 09.09.2019 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 the petitioner shall fully co-operate with the learned trial Court for conducting smooth trial without seeking any unnecessary adjournments.

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

(MAHABIR SINGH SINDHU)
JUDGE

October 30, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No