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

CRM-M-37641 of 2019

Date of decision: November 14, 2019

Purshotam Kumar alias Poppy

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Choudhary, 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 FIR No.187 dated 07.07.2019, under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station City Ratia, District Fatehabad.

On 13.09.2019, this Court has passed the following order:-

“Contends that recovery from the petitioner is only 7.1 grams of alleged contraband and there is no other criminal case pending against him.

Learned State counsel seeks to verify pendency of other criminal cases against the petitioner.

Adjourned to 01.11.2019.

In the meanwhile, petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

At the outset, learned counsel for the petitioner has stated

that there are other criminal cases against the petitioner, but he is on bail. Also stated, on instructions from the petitioner, that in future, he shall not indulge in any such illegal activities.

Learned State counsel, on instructions from police official present in Court to assist him, has stated that in terms of order dated 13.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 13.09.2019 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 Investigating Officer as and when called for further investigation.

It is also made clear that in case there is any recurrence on the part of the petitioner, State of Haryana would be at liberty to move an application for recalling of this order.

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

(MAHABIR SINGH SINDHU)
JUDGE

November 14, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No