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

CRM-M-37640 of 2019

Date of decision: November 06, 2019

Gurtej Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Karan Garg, 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.216 dated 05.08.2019, under Sections 15, 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Ratia, District Fatehabad.

On 06.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that the alleged recovery of contraband i.e. 4 kg of poppy straw was effected from co-accused Sikander and the petitioner has been nominated only on the basis of disclosure made by said Sikander. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion for 06.11.2019.

In the meanwhile, the petitioner is directed to join

the 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) Cr.P.C.”

Learned State counsel, on instructions from ASI Gurpal, has stated that in terms of order dated 06.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 06.09.2019 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.

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

(MAHABIR SINGH SINDHU)
JUDGE

November 06, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No