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

CRM-M-39987 of 2019

Date of decision: October 23, 2019

Ram Niwas @ Ramu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Kusum Raj, Advocate for
Mr. S.S. Sahu, 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.230 dated 28.08.2019, under Sections 21(b), 27-A, of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Ratia, Tehsil Ratia, District Fatehabad.

On 23.09.2019, this Court has passed the following order:-

“Contends that recovery of alleged contraband is about 7 grams of heroin and that too from co-accused of the petitioner. Also contends that there is no other criminal case pending against the petitioner.

Learned State counsel seeks time to verify the factual position regarding pendency of any other criminal case.

Adjourned to 23.10.2019, for further consideration.

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 SI Lovepreet S. Bajwa, has stated that in terms of order dated 23.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 23.09.2019 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

October 23, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No