

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

CRM-M-41871-2019 (O&M)

Date of decision : 07.12.2019

Davinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.S. Bedi, Sr. Advocate with
Barrister Rubal Garg, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana
alongwith SI Mukesh Kumar.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the present petition is for grant of regular bail in FIR No.266 dated 12.07.2019 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Pinjore.

On 07.10.2019, after hearing learned counsel for the parties, following order was passed by this Court:-

“Learned counsel for the petitioner submits that petitioner is being falsely implicated by the police repeatedly. He submits that first FIR was registered in the year 2016 which resulted in acquittal. Second FIR bearing No. 242 was registered on 03.08.2018 in which the petitioner was falsely implicated and the petitioner has produced recording of the occurrence. The petitioner was released on bail.

Now FIR No.266 dated 12.07.2019 has been registered against the petitioner which is third FIR. The alleged recovery from the petitioner is of 30 gm heroin, which does not fall in the commercial category.

Learned counsel for the State prays for time to examine

the recording of the occurrence and file status report. He submits that in the present case, investigations are complete.

Keeping in view the aforesaid facts, the petitioner is directed to be released on interim bail subject to furnishing personal bonds and heavy surety to the satisfaction of the learned trial Court/Duty Magistrate.

Learned counsel for the State is called upon to file detail affidavit of the concerned Inspector General of Police specifically dealing with all the assertions made in the petition.

List on 06.11.2019.”

Thereafter, on 14.11.2019, learned Director General of Police, Haryana was requested to examine all three police files alongwith CCTV Footage .

Detailed affidavit has been filed by the learned Director General of Police, Haryana wherein it has been intimated that investigation of FIR No.242 dated 03.08.2018 under Sections 18/21 of the Narcotic Drugs and Psychotropic Substances Act, Police Station Pinjore, Panchkula has now been handed over to the State Crime Branch for further investigation.

Learned counsel for the State, on instructions from SI Mukesh Kumar, has submitted that the petitioner is not required for any further custodial interrogation.

In view thereof, interim bail granted on 07.10.2019, is made absolute.

Accordingly, the present petition is allowed.

07.12.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No