

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

CRM-M-41432-2019
Date of decision: 30.09.2019

Mukesh alias Meenu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ajay Kamboj, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 0253 dated 04.09.2019 under Section 22 of the NDPS Act, 1985, registered at Police Station Dabwali Sadar, District Sirsa.

Learned counsel for the petitioner submits that the petitioner is the first offender and he is not involved in any other case under the NDPS Act.

Learned counsel for the petitioner further submits that as per the allegations in the FIR, the police party apprehended two persons, namely Amit Kumar and Vijay, and thereafter, on their search, 500 tablets of Tramadol Hydrochloride were recovered.

It is further submitted that on the disclosure of the aforesaid co-accused, name of the petitioner surfaced in the present case and nothing is to be recovered from the petitioner.

Learned counsel for the State, on instructions from ASI Ashok Kumar, has not disputed the factual position that the petitioner is not

involved in any other case under the NDPS Act and he was involved in the present case on the disclosure of the aforesaid co-accused that they have procured the recovered contraband from the petitioner.

In view of the above, without making any comment on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

It will be open for the Investigating Officer to issue a notice in writing to the petitioner calling upon him to join investigation, in case it is so required.

30.09.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No