

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

218

CRM-M-43475 of 2019

Decided on :05.12.2019

Kamaljeet @ Kamal

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr.Munish Kamboj, Advocate
for the petitioner.

Mr.D.R.Singla, DAG, Haryana.

Ms.Riya Sharma, Advocate for respondents No.2 and 3.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.0238 dated 10.09.2019, under Sections 18 and 27(a) of the NDPS Act, 1985, registered at Police Station Sadar Rattia, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and recovery of 1 kg 50 grams of opium has been effected from the co-accused Jasbir @ Jassi and Baljinder Singh @ Balli, who were arrested at the spot. The petitioner was arraigned as an accused on the statement of the co-accused. There is no *prima facie* evidence which would connect the petitioner with the commission of the offence. He is not involved in any other case under the NDPS Act.

This Court, by the order dated 06.11.2019, had directed the petitioner to appear before the investigating/arresting officer and join the investigation and in the event of his arrest, he was to be released on ad interim bail subject to the satisfaction of the investigating/arresting officer.

Learned State counsel on instructions from ASI Sohan Singh,

states that although the petitioner has joined the investigation but he is not cooperating with the investigating officer. Learned State counsel however, is not in a position to point out any prima facie evidence against the petitioner.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 06.11.2019 granting ad interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

[ANUPINDER SINGH GREWAL]
JUDGE

05.12.2019
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No