

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

**CRM-M No.43089 of 2019 (O&M)
Date of Decision: 06.12.2019**

Pawan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.298 dated 21.08.2019, under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27-A of the NDPS Act added later on), registered at Police Station Bhuna, District Fatehabad.

This Court, on the previous date of hearing i.e. 19.10.2019, passed the following order:-

“ Learned counsel for the petitioner contends that recovery of the alleged contraband i.e. 10.30 gms of Heroin is from the co-accused, namely, Govind, who has already been released on regular bail by learned trial Court vide order dated 11.09.2019. Also contends that there is no other criminal case pending against the petitioner under the provisions of NDPS Act. Learned State counsel wishes to verify the same.

Adjourned to 06.12.2019.

In the meanwhile, the petitioner is directed to join 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. ”

Contentends that in terms of the above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from A.S.I. Sat Narain, has acknowledged that in terms of order dated 19.10.2019, petitioner has joined the investigation and his custodial interrogation is not required. Also stated that there is no other criminal case pending against the petitioner.

In view of above, interim order dated 19.10.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

December 06, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>