

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

CRM-M-46001-2019 (O&M)

Date of decision : 22.11.2019

Kamal @ Jhota

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. N.K. Ganga, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana alongwith
ASI Atma Ram.

ANIL KSHETARPAL, J. (ORAL)

On 25.10.2019, following order was passed by this Court:-

“Petitioner prays for grant of anticipatory bail in FIR No.207 dated 18.04.2019 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act and under Section 25 of the Arms Act, at Police Station City Sirsa, Haryana.

As per case of the prosecution, four young persons were found occupying a motor car and on search thereof, 5.20 grams of heroin was found.

Learned counsel for the petitioner submits that the petitioner was not among those four persons and there is no recovery from the petitioner. He further submits that the petitioner is sought to be nominated as accused on the statement of co-accused, evidentiary value of which is very weak.

Notice of motion.

Mr. Nishchal Mann, DAG, Haryana accepts notice on behalf of State of Haryana and on instructions from ASI Jagmeet Singh, has submitted that the petitioner is not involved in any other case.

Adjourned to 13.11.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Investigating Officer is directed to file an affidavit disclosing to the Court as to what material has been collected against the petitioner by the Prosecuting Agency. ”

Learned counsel for the State, on instructions from ASI Atma Ram, has submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view thereof, order dated 25.10.2019 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

22.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No