

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

**CRM-M No.64777 of 2018 (O&M)
Date of Decision: 13.02.2019**

Rakesh @ Rinku

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Salinder Kumar Saini, Advocate for
Mr. Harsh Chopra, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.543 dated 18.09.2018, under Section 21-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Fatehabad.

This Court, on the previous date of hearing i.e. 04.02.2019, passed the following order:-

“ As per the allegations in the FIR, the recovery of the alleged contraband i.e. Heroin is only 1 gm. & 30 mg.

Learned Counsel for the petitioner submits that co-accused has already been granted the concession of bail, pending trial and the petitioner is ready to join the investigation.

Adjourned to 13.02.2019 for further consideration.

In the meanwhile, the petitioner is directed to join the 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 in the present case 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. ”

Today, learned Counsel for the petitioner submits that petitioner has joined the investigation in terms of aforesaid order and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Kuldeep Singh.

In view of above, interim order dated 04.02.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

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

The observations may not be considered as an expression of opinion on the merits of the case.

February 13, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes