

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

CRM-M No.12133 of 2020
Date of decision: 12th May, 2020

Ravi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Dinesh Maurya, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Manish Bansal, Asst. Advocate General, Haryana puts in appearance on behalf of the State on his own.

Petitioner Ravi has moved this first anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.129 dated 18.04.2020 under Sections 188, 269 IPC, Section 51(b) of Disaster Management Act, 2005 and Section 21(b), 27(a), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 pertaining to Police Station Bhuna, District Fatehabad.

The allegations against the petitioner are that on 18.04.2020 while police was holding a naka during lockout, two persons came on a scooty and who were apprehended and from the possession of Nanha 100 grams of Heroin was recovered. It was during the course of interrogation they disclosed of having purchased this contraband from the petitioner.

Learned counsel for the petitioner Mr. Dinesh Maurya, Advocate inter alia contends that nothing is to be recovered from the petitioner and his joining the investigation would serve the purpose.

On behalf of the State Mr. Manish Bansal, Asst. Advocate General, Haryana has not controverted the facts canvassed before this Court but has stoutly opposed the grant of bail.

Appreciating the submissions of the two sides, admittedly the recovery has already been effected from the principal accused and to the specific query of the Court learned State counsel could not bring about any legal worth in the statement of the co-accused of having purchased the contraband from the petitioner. Thus, petitioner's joining the investigations would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so the petitioner shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he will abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 12, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No