

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

**CRM-M No.12749 of 2020 (O&M)
Date of Decision: 14.07.2020**

Biru @ Bir Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vinod Bhardwaj, Advocate for the petitioner.

Mr. Pradeep Chahar, 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.43 dated 21.03.2020, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Guhla, District Kaithal.

This Court, while issuing notice of motion on 21.05.2020, passed the following order:-

“ Contends that recovery is alleged to be 18 kg of poppy husk and that too, from his co-accused Sukhdev Singh @ Kaka. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion for 14.07.2020.

Mr. Kuldip Tiwari, Addl.A.G., Haryana, accepts notice on behalf of the State.

In the meantime, 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) of Code of Criminal Procedure, 1973. ”

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

 Learned State Counsel, on instructions, has acknowledged that in terms of order dated 21.05.2020, petitioner has joined the investigation and his custodial interrogation is not required.

 In view of above, interim order dated 21.05.2020 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.

July 14, 2020
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No