

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

**CRM-M-15487-2020**

**Date of Decision: July 29, 2020.**

**RAMESH KUMAR**

..... PETITIONER (s)

Versus

**STATE OF HARYANA**

..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

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

Mr. Anmol Malik, D.A.G., Haryana.

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**LISA GILL, J.**

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 146 dated 28.05.2020, under Sections 21/61/85 of the NDPS Act, Police Station Civil Line, Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the petitioner is sought to be inculpated only on the basis of the disclosure statement of the co-accused Sukhwinder @ Sukha, who was arrested on the spot. Sukhwinder @ Sukha has stated that he purchased the contraband i. e. 35

grams of heroin, from the petitioner. It is asserted that there is no other evidence on record to inculcate the present petitioner who has since joined investigation. His custodial interrogation, it is submitted, is not required.

Learned counsel for the State, on instructions from ASI Shamsher Singh verifies that the petitioner has joined investigation, his custodial interrogation is not required and he is not involved in any other criminal case. Learned counsel for the State is unable to point out any other evidence on record, at this stage, to connect the petitioner with the offence.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 17.06.2020 is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

**29.07.2020**

Sunil

**(LISA GILL)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No