

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

CRM-M-15891-2020 (O&M)

Date of decision : 04.08.2020

Madan Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

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

Mr. Sukhdeep Parmar, DAG, Haryana,
assisted by ASI Vijay Singh.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The petitioner seeks pre-arrest bail in FIR No.210 dated 04.06.2020, registered under Sections 22(B) and 27(A) of the NDPS Act, at Police Station Sadar Fatehabad.

Heard.

On 22.06.2020, the following order was passed:-

“The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The petitioner has approached this Court aggrieved of dismissal of anticipatory bail by Additional Sessions Judge (Duty)-cum-Special Judge, Fast Track Court, Fatehabad vide order dated 15.06.2020 in FIR No. 210 dated 04.06.2020, registered under Section 22(b)/27A/61 of NDPS Act, 1985 (for short 'the Act') at Police Station Sadar, Fatehabad.

FIR was registered under the Act, as the police party had received a secret information and acting upon the said information recovery of 150 tablets of Alprazolam-0.5 was

made from one Manoj Kumar. During investigation, Manoj Kumar stated that the said tablets were supplied by the petitioner . Learned counsel for the petitioner submits that there was no recovery made from the petitioner, he was not present at the spot and even the quantity recovered from Manoj Kumar is non-commercial.

Learned State counsel opposes the prayer for anticipatory bail. Having considered the rival submissions and the facts in entirety, especially that no recovery is to be made from the petitioner, the name of the petitioner surfaced only in the statement and also the quantity recovered is non commercial, the petitioner is granted interim bail subject to joining investigation within two weeks. He shall abide by the conditions as envisaged in Section 438(2) Cr.P.C.

Put up on 04th August 2020.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation, recovery of ₹100/- has been effected from him and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 22.06.2020, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

04.08.2020
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(JITENDRA CHAUHAN)
JUDGE

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