

CRM-M-16338-2020

Date of decision: 05.08.2020

GANESH KUMAR

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. C.M.Munjal, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

VIVEK PURI,J. (ORAL)

On 24.6.2020 the following order was passed:-

Briefly the FIR No. 211 dated 11.3.2020, under Section 21, 29,61, 85 of NDPS Act, 1985 at Police Station Mujessar, District Faridabad (Haryana) has been registered on the allegations of recovery of 100 gms of smack from Santosh @ Raj Kumar.

It has been stated by learned counsel for the petitioner that he is being sought to be implicated on the basis of the disclosure statement of Santosh @ Raj Kumar, co-accused. No recovery has been effected from the petitioner. Santosh @ Raj Kumar, from whom the recovery has been effected has already been released on bail. Furthermore, petitioner is not involved in any other case.

Notice of motion for 5.8.2020.

Ms. Dimple Jain, AAG Haryana accepts notice on behalf of the respondent-State. Copy of the paper-book be supplied to her during the course of the day through e-mail.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on

furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

On instructions of ASI Naveen Kumar, it has been pointed out by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required.

Without expressing any opinion on the merits of the case, the order dated 24.06.2020, granting interim bail to the petitioner is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition is accordingly, allowed.

05.08.2020.
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No