

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

CRM-M-17078-2020

Date of decision :28.08.2020

Harjeet Singh

...Petitioner

Vs.

State of Haryana

...Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. D.S. Virk, Advocate for the petitioner.

Ms. Dimple Jain, AAG Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is the petition under under Section 438 the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.162 dated 18.05.2020 under Sections 15/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Sadar, Dabwali, District Sirsa.

On 30.06.2020, the following order was passed:-

“Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1873 for grant of anticipatory bail to the petitioner in FIR No.162, dated 18.05.2020 registered under Section 15 of the NDPS Act, 1985 at Police Station Sadar Dabwali, District Sirsa.

*It has been contended by learned counsel for the petitioner that the allegations in the FIR are that co-accused Jaspal Singh was apprehended with 2 kgs of Poppy-husk and in his disclosure statement he has stated that the same had been purchased from the petitioner. He has further relied upon the judgment of Supreme Court in the case of **2018(8) SCC 271***

Surinder Kumar Khanna Vs. Intelligence Officer, Directorate of Revenue Intelligence to contend that conviction cannot be solely based on the statement of a co-accused.

Notice of motion.

On the asking of the court, Ms. Aditi Girdhar, AAG, Haryana has joined the session through video conferencing and accepts notice.

Adjourned to 28.08.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all terms and conditions as specified under section 438(2) of the Criminal Procedure Code, 1973.”

Learned State counsel, on instructions from ASI Balwant Rai, has stated that the petitioner has since joined the investigation and is no longer required for further investigation.

In view of the above, the order dated 30.06.2020 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by the terms and conditions enumerated in Section 438(2) of the Code of Criminal Procedure, 1973.

The petition is disposed off accordingly.

August 28, 2020
kv

(ALKA SARIN)
JUDGE

Whether speaking/reasonable: Yes/No.
Whether reportable : Yes/No.