

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17894-2020 (O&M)

Date of Decision:- 24.11.2020

Rajinder Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Choudhary, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.242, dated 5.6.2020, Police Station City Tohana, District Fatehabad, under Section 22(c) of NDPS Act.
2. At the time of issuance of notice of motion, the following order was passed :-

“The learned counsel for the petitioner contends that he was never arrested at the spot and that it is one Vinod and Kuldeep @ Khandu, who were apprehended while riding on a motorcycle and that it was from the possession of pillion rider Kuldeep @ Khandu that 2400 tablets of 'Tramadol Hydrochloride' total weighing 960 grams were recovered. It has been

submitted that it is on the basis of disclosure statement that the petitioner has been nominated as an accused.

Notice of motion for 24.11.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. It has been informed by learned State counsel that pursuant to interim directions, the petitioner has since joined investigation.
4. Having regard to the fact that the petitioner has been nominated as an accused on the basis of disclosure statement and that he has already joined investigation, his custodial interrogation is not warranted. The petition, as such is accepted and the interim directions issued vide order dated 14.7.2020 are hereby made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

November 24, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No