

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

**CRM-M No.18400 of 2020 (O&M)
Date of Decision: 24.08.2020**

Hans Raj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. R.S.Mamli, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana
for the respondent.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.0137 dated 27.06.2020, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27(a), NDPS Act added later on), registered at Police Station Sadar Tohana, District Fatehabad.

This Court, while issuing notice of motion on 13.07.2020, passed the following order:-

“ *Contends that recovery of the alleged contraband i.e.3 Kg. 900 Grams of Poppy Husk was effected from the co-accused, namely, Ajay @ Sanjay and Suresh. Also contends that petitioner has been nominated on the basis of statement made by co-accused Ajay @ Sanjay.*

Notice of motion for 24.08.2020.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction.

The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Contents that in terms of the above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from ASI Kapil Dev, has acknowledged that in terms of order dated 13.07.2020, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 13.07.2020 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

August 24, 2020

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>