

CRM-M-23290-2020

Date of decision: 30.09.2020

CHIRAG BANSAL

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Amrik Singh Narwal, DAG, Haryana.

(The case has been taken up through video conferencing on account of Covid-19 Pandemic).

VIVEK PURI,J. (ORAL)

On 19.08.2020, the following order was passed:-

“Briefly, FIR bearing No. 286 dated 29.7.2020 under Section 22(b) & 61 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Adampur, District Hisar has been registered in pursuance of the recovery of 500 tablets of Tramadol from Pawan Kumar, co-accused.

It has been stated by learned counsel for the petitioner that the petitioner has been sought to be nominated on the basis of the disclosure statement of the accused from whom the recovery has been effected. No other case has been registered against him and the quantity of contraband falls in the category of less than commercial quantity, though the report of FSL is yet to be received.

Notice of motion for 30.9.2020.

Ms. Sunita Punia, AAG Haryana accepts notice on behalf of the State.

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.”.

Learned counsel for the petitioner states that she has joined the investigation and is not required to be taken into custody.

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

In these circumstances, the ends of justice will meet if petitioner is granted pre-arrest bail and as such without expressing any opinion on the merits of the case, the order dated 19.08.2020, granting interim bail to the petitioner is made absolute.

However, the petitioner 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.

30.09.2020
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(VIVEK PURI)
JUDGE

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