

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

CRM-M-24350-2020

Date of decision:24.11.2020

Aalok

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Simranjeet Singh, Advocate for the petitioner.

Mr. Apoorv Garg, D.A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.250 dated 01.08.2020, registered at Police Station Bhuna, District Fatehabad, under Sections 21(b) and 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

On 02.09.2020, a Coordinate Bench of this Court passed the following order:-

“Learned counsel for the petitioner submits that question whether an application for grant of anticipatory bail would be maintainable or not in view of Section 12 of Juvenile Justice (Care and Protection of Children) Act, 2015, has been referred to Division Bench vide order dated 11.08.2020 passed in CRM-M17856-2020. Meanwhile, the accused therein has been granted interim bail.

In the instant case it has been argued that the petitioner has been nominated as an accused only on account of disclosure statement of co-accused, which is a very weak piece of evidence. The petitioner does not have any criminal antecedents and, thus, his custodial interrogation is not necessary.

Notice of motion for 24.11.2020.

Mr. Munish Sharma, AAG Haryana, accepts notice on behalf of the respondent-State and waives service.

In the meantime, the petitioner is directed to join investigation with the Investigating Officer on 14.09.2020 at 10.00 a.m. and cooperate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his compliance of the conditions enshrined under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the order dated 02.09.2020 passed by a Coordinate Bench of this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from S.I. Kashmir Singh, submits that the petitioner has joined the investigation and he is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 02.09.2020 passed by a Coordinate Bench of this Court granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

24.11.2020

ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No