

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

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IN VIRTUAL COURT

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**CRM-M No. 28022 of 2020
Date of decision : 16.9.2020**

Vijay Pal Jangu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Kartar Singh, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No. 355 dated 14.9.2019, registered under Sections 15/29 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar, Fatehabad.

It is submitted by the counsel for the petitioner that the case against the petitioner is without any basis. The name of the petitioner has been sought to be involved in the case only on the basis of alleged disclosure statement of the co-accused Mohit and Anil Kumar, from whom 3.7 Kg. of poppy husk has, allegedly; been recovered. However, the petitioner does not have any relation with the above said co-accused or with the material recovered from them. It is also submitted by the counsel for the petitioner that there is no other case against the petitioner. The petitioner will join the investigation.

Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Rupinder Singh Jhand, Addl. AG, Haryana, accepts notice on behalf of the State.

It is submitted by the counsel for the State, being instructed by SI Ramesh Kumar, that the name of the petitioner has duly surfaced during the interrogation of the co-accused, from whom 3.7 Kg. of poppy husk has been recovered. However, it is not disputed that there is no other case against the petitioner and that there is no relation between the arrested co-accused and the present petitioner. It is also not disputed that the alleged quantity of poppy husk, which has been recovered from the co-accused, is non-commercial.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. It is ordered that the petitioner shall join the investigation as and when so required by the Investigating Agency. However, in case of arrest, the Investigating Officer is directed to release the petitioner on bail on his furnishing bail bonds/surety to his satisfaction. It is further directed that the petitioner shall also observe the other conditions as required under Section 438(2) of Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

16.9.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No