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

CRM-M No. 31150 of 2020
Date of Decision: 02.11.2020

Parveen

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vikas Kumar, Advocate,
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.194 dated 03.06.2020 registered under Section 20 of NDPS Act at Police Station N.I.T Faridabad, District Faridabad.

On 06.10.2020, following order was passed:-

"It is the contention of learned counsel for the petitioner that the petitioner has been implicated falsely in the present case on the basis of a disclosure statement of co-accused

Neeraj. He contends that as per the alleged disclosure statement of co-accused, petitioner is a person who had supplied the recovered 10 Kgs.70 grams of ganja, which is a noncommercial quantity. He also contends that except for the disclosure statement of co-accused, there is no other evidence against the petitioner connecting him with the commission of crime. He further asserts that apart from the present case, there is no other case under the NDPS Act registered against the petitioner. He, therefore, contends that the petitioner, who is ready and willing to join the investigation and cooperate with the same, be granted the concession of bail.

On the other hand, learned counsel for the State, on instructions from ASI, Digvijay Singh, Police Station NIT, Faridabad, states that the petitioner is the person who had made available and directed co-accused Neeraj to collect the said ganja from him and thereafter to supply/sell the same. He also asserts that apart from the present case, though there is no other case

under the NDPS Act against the petitioner but there are four other cases against him i.e. two cases under Sections 323 IPC, one under Sections 323 and 326 IPC and Arms Act and fourth one under the Arms Act. He, therefore, contends that the antecedents of the petitioner are not above board and, thus, he be not granted the concession of bail.

*I have considered the submissions made by counsel for the parties and am of the view that in the light of the fact that the other cases are not under the NDPS Act and there is no other case against the petitioner except for the present one, where also there is only a disclosure statement and that too of the co-accused from whom non-commercial quantity of ganja a has been recovered, the present petitioner is directed to appear before the Investigating Officer, Police Station NIT, Faridabad, District Faridabad, on **09.10.2020 at 10.00 A.M.** to join investigation.*

In case the petitioner is arrested, he shall be released on bail to the satisfaction of the

Arresting Officer subject to the conditions as contained in Section 438 (2) Cr.P.C. He will join the investigation as and when required.

*To come up for further consideration on **02.11.2020.**"*

Learned State counsel on instructions states that the petitioner has joined the investigation and he is no more required in further investigation of the case.

In view of above, order dated 06.10.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.

November 02, 2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No