

In virtual Court

CRM-M-31618-2020

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

**CRM-M-31618-2020 (O&M)
Date of decision: 08.10.2020**

Amit Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Thind, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.290 dated 16.09.2020 under Sections 22/15/61/85 of NDPS Act, registered at Police Station Ellenabad, District Sirsa.

Learned counsel for the petitioner submits that in a case of chance recovery from one Chunni Lal, the police recovered 3.5 kg of poppy husk and 210 intoxicant capsules. It is further submitted that during the custodial investigation, said Chunni Lal suffered a disclosure statement that he purchased 3.5 kg of poppy straw from an unknown person, whereas he has procured 210 intoxicant capsules from the petitioner. It is also submitted that it is a matter of trial whether disclosure statement of co-accused Chunni Lal is admissible

against the petitioner or not.

Learned State counsel has submitted that the petitioner is involved in some FIRs under IPC, however, no other case under NDPS Act is pending.

After hearing learned counsel for the parties and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is granted anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

08.10.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No