

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

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CRM-M No.34207 of 2020

DATE OF DECISION : 28th OCTOBER, 2020

Amandeep

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present : Mr. Sushil Kumar Verma, Advocate for the petitioner.

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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.330 dated 12.10.2020 registered under Section 22-B of the Narcotics Drugs & Psychotropic Substances Act, 1985 at Police Station Civil Line Sirsa, District Sirsa.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not connected with the crime at all. The name of the petitioner has been sought to be involved only on the basis of some alleged disclosure statement of the arrested co-accused, from whom allegedly 900 capsules containing Tramadol Hydrochloride, have been recovered. Although, the police claimed the petitioner to be supplier of the said material, however, even during the interrogation of the arrested co-accused the police have not been able to collect any evidence to connect the petitioner either to

the said arrested co-accused or to the material recovered from them. There is no other case against the petitioner. The petitioner shall 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.

The learned State Counsel, being instructed by ASI Pardeep Kumar, has submitted that the name of the petitioner has specifically surfaced during the interrogation of the arrested co-accused from whom 900 capsules, containing Tramadol Hydrochloride, have been recovered. The petitioner has been disclosed to be the supplier of the said material. However, it is not disputed that so far the police have not been able to collect any material/evidence to connect the petitioner either to the arrested co-accused or to the material recovered from them. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

28th OCTOBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No