

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37991-2020 (O&M)
Date of Decision:-21.12.2020

Kalu Ram ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kotla, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Satish Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.399 dated 25.10.2020 at Police Station Sadar, District Fatehabad under Sections 22(C)/27-A of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As the per the case of prosecution, Naresh Kumar and Pawan Kumar were apprehended by the police and were found to be in possession of 640 tablets of 'Tramadol Hydrochloride' weighing 680 grams and 760 tablets of 'Alprazolam' weighing 152.76 grams. It is the case of prosecution that

during the course of interrogation they disclosed that it is one Nirmal who had supplied the said contraband to them.

3. Learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case and that even as per the disclosure statement it is one Nirmal whereas the petitioner is known as Kalu Ram.
4. Opposing the petition, the learned State counsel has submitted that during the course of investigation statement of Panch Suresh Kumar (Annexure R-1/T) has been recorded, who has categorically stated that Nirmal Singh is also known as Kalu Ram son of Arjan Singh. Learned State counsel has further informed that the petitioner is not involved in any other case.
5. Having regard to the facts and circumstances of the case especially that the petitioner came to be nominated on the basis of a disclosure statement, the veracity and admissibility of which would be debatable, and while also noticing that the petitioner is not stated to be involved in any other case, the petition is accepted. It is ordered that the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

21.12.2020

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No