

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-38959-2020 (O & M)
Date of Decision: November 25, 2020

SURENDER

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gourav Jain, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 218 dated 23.07.2020, under Section 15/61 and 27-A of the NDPS Act, registered at Police Station Uklana, District Hissar.

Learned counsel for the petitioner contends that the petitioner has neither been named in the FIR nor any recovery has been effected from him. He has been arraigned as an accused on the statement of co-accused Subhash from whom 4.7 kgs of poppy husk has been recovered which is below the threshold of 50 kgs of commercial quantity. The petitioner is not involved in any other case under the NDPS Act.

Issue notice to the respondent.

At the asking of the Court, Mr. Chetan Sharma, AAG, Haryana accepts notice on behalf of the respondent. He contends that in view of the gravity of the offence alleged to have been committed by the petitioner, he is not entitled to the concession of anticipatory bail.

Without expressing any opinion on the merits of the case and in view of the submissions of learned counsel for the petitioner, I deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Therefore, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 of the Code of Criminal Procedure, 1973 ('Cr.P.C.' - for short). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed of in the aforementioned terms.

(ANUPINDER SINGH GREWAL)
JUDGE

November 25, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No