

CRM-M-41388-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-41388-2019

Date of Decision: 12th February, 2020

Deepak @ Deep Chand

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. I.S.Pabla, Advocate, for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

VIVEK PURI, J. (ORAL)

On 22nd of October, 2019, following order was passed:-

“Learned counsel for the petitioner submits that initially accused Sandeep Singh, who was apprehended with 13 grams of heroin had named Sumit as supplier of the same. Later on, he changed his statement and named the petitioner and the police without verifying this fact is out to arrest him.

Learned State counsel on going through the police file endorses the submission of learned counsel for the petitioner regarding the disclosure statement of accused Sandeep Singh.

List on 04.02.2020.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting

Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

Learned counsel for the petitioner states that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court and even the quantity of the contraband recovered from the co-accused of the petitioner falls in the category of less than commercial quantity.

Learned State counsel, on instructions from SI Jai Singh, has not disputed the factual position.

As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioners.

Without expressing any opinion on the merits of the case, the order dated 22nd of October, 2019, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition is accordingly, allowed.

(VIVEK PURI)
JUDGE

12th February, 2020

Nisha

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