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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-42446-2019

Date of decision-24.02.2020

Jagjeewan @ Jeewan

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.K.Ganga, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.278 dated 04.09.2019 under Sections 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27-A NDPS added later on) registered at Police Station City Mandi Dabwali, District Sirsa. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.10.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that on 04.09.2019, alleged recovery of contraband was effected from accused, namely, Gurmeet Singh @ Meet son of Gurtej Singh who was travelling alone on his own*

*motor cycle bearing RC No.HR-25-3875. He submits that it was on the statement of co-accused, the petitioner was indicted as an accused on the ground that the recovered contraband was purchased from the petitioner.*

*Notice of motion for 24.02.2020.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Jagmeet Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 03.10.2019 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**24.02.2020**

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|--------|-----------------------------|-----|----|
| vanita | Whether speaking/reasoned : | Yes | No |
|        | Whether Reportable :        | Yes | No |