

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

**CRM-M-53580-2019
Date of decision: 18.02.2020**

Sunil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Pooja Bansal, Advocate for
Ms. Sharmila Sharma, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.288 dated 01.09.2019 registered under Sections 21/61/85 of the NDPS Act at Police Station Civil Line Sirsa, District Sirsa.

The operative part of the order dated 16.12.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has argued that as per the allegations in the FIR, the police spotted a car and on suspicion, interrogated the occupants of the car. It is further submitted that one person disclosed his identity as Sunil Kumar @ Rugani (the petitioner herein) and the other person as Kamal Singh @ Komal. On search, a polythene bag, lying near the gear lever of the car, was recovered in which 15 gms of heroin was found. It is further submitted that the petitioner succeeded in running away along with his car from the spot and could not be apprehended, however, the co-accused Kamal Singh @ Komal was arrested. It is also submitted that the petitioner

is not involved in any other case, however, he is presently lodged in a Drug De-addiction Centre and the recovery is of small quantity. Lastly, it is submitted that the co-accused namely Kamal @ Singh @ Komal has already been granted the concession of regular bail by the trial Court itself.

Notice of motion for 18.02.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 16.12.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Raj Kumar, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 16.12.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

18.02.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No