

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

CRM-M-53585-2019

Date of Decision:-24.2.2020

NAV BHARAT @ BHURIA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harinder Pal Singh Ishar, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.319 dated 28.11.2019 under Sections 15 NDPS Act at Police Station Uklana, District Hisar.
2. It is the case of prosecution that on 28.11.2019 when the police party was conducting checking of vehicles, then a car was signalled to stop. However, the driver of the car tried to turn back the car but the car stopped and thereafter the driver got down from the car and fled away from the spot. It is further the case of prosecution that a search of the car yielded recovery of 1 Kg. 100 grams of 'poppy-husk'. The driver of the car was identified as Nav Bharat by one Sudesh who happened to be present nearby.
3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and was neither driving the car in

question nor was its owner.

4. Opposing the petition, the learned State counsel has submitted that since the petitioner happens to be involved in two other cases including one registered for offence under NDPS Act, no case for grant of bail is made out especially as he was identified by one Sudesh. Learned State counsel further submits that although the petitioner has joined investigation but he has not disclosed the particulars of the owner of the car in question.
5. I have considered rival submissions addressed before this Court. Keeping in view the quantity of contraband allegedly recovered and the fact that the petitioner was not arrested at the spot and has joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 16.12.2019 are hereby made absolute subject to the condition that the petitioner shall continue to appear before the Investigating Officer as and when called upon to do so and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

24.2.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No