

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

207

CRM-M-456-2021 (O&M)
Date of Decision: 27.08.2021

Bhanwar Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vishal Thakur, Advocate, for
Mr. Keshav Pratap Singh, Advocate,
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Tara Chand.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.339 dated 18.10.2020 at Police Station Ellenabad, District Sirsa, under Section 15/61/85 of the NDPS Act.
2. At the time of issuance of notice of motion on 07.01.2021, the following order was passed:

“Learned counsel for the petitioner submits that as per the case of prosecution 40 kilograms of ‘poppy husk’ was recovered from Shankar Lal, Gopal Ram and Net Ram and that the said accused are alleged to have suffered a disclosure statement nominating the accused as their supplier. It has been submitted

that the petitioner has falsely been involved in the instant case and that he is not involved in any other case and that the recovery in any case would fall in the category of 'non commercial quantity'.

Notice of motion for 10.5.2021.

xx

xx

xx”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that is not wanted in any other case.
4. Having regard to the fact that the petitioner was never arrested at the spot and has been nominated on the basis of disclosure statement, the veracity and admissibility of which would be debatable and while also noticing the fact that the petitioner has joined investigation and is not even stated to be wanted in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 07.01.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

27.08.2021

VY/Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No