

102+201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.4128 of 2021 (O&M)
Date of Decision : 02.08.2021

Allaha Rakha ...Petitioner

Versus

State of HaryanaRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Anshul Mangla, Advocate for the petitioner.
Mr. Sandeep Singh Mann, Addl. AG, Haryana.

B.S. Walia, J. (VC)

Case is being taken up for hearing through Video
Conferencing due to Covid-19 pandemic.

CRM No.22972 of 2021

Allowed, as prayed for.

CRM-M No.4128 of 2021

1. Prayer in the petition under Section 438 Cr.P.C. is for grant
of anticipatory bail to the petitioner in case FIR No.518 dated
16.08.2020, registered under Section 21, NDPS Act, 1985 at Police City
Yamuna Nagar, District Yamuna Nagar.

2. On 29.01.2021, the following order was passed:-

*“ Counsel for the petitioner herein would contend that the
petitioner herein has been falsely implicated in the present
case, as he has not been named in the FIR and subsequently,
has been nominated on the basis of disclosure statement of the
co-accused.*

Notice of motion.

At this stage, Mr. P.P. Chahar, DAG Haryana, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Adjourned to 19.07.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

3. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from *ASI Satpal Singh*, confirms that pursuant to the order of this Court dated 29.01.2021, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and his custodial interrogation is not required.

4. In view of the statement of learned State Counsel, order dated 29.01.2021, passed by this Court, is made absolute. The petitioner shall continue to abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be deemed to be an expression of opinion on the merits of the case.

5. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

02.08.2021

'Rajneesh'

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