

209

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

CRM-M No.10832 of 2021

Date of Decision: .08.07.2021

Rajiv @ Vijay

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. J. S. Warring, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.92 dated 02.06.2020 registered under Sections 22-C of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 188 IPC at Police Station Odhan, District Sirsa.

On 07.04.2021, following order was passed by this Court:-

Learned counsel for the petitioner contends that CRM-M No.30588 of 2020 was got dismissed as withdrawn as there was technical flaw in not mentioning the number of cases in which the petitioner was earlier involved.

In the present petition, he has mentioned in para no.17 that petitioner had no bad antecedent and was falsely implicated in earlier cases.

On a pointed query, learned counsel submits that in earlier cases, he is on bail.

Petitioner is not named in the present FIR. On the basis of disclosure statement of Soni Singh son of Raghuvir Singh, co-accused Shaminder Singh was nominated. Petitioner was nominated only on the basis of disclosure statement of said Shaminder Singh. No recovery has been effected from the petitioner.

Notice of motion for 08.07.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 12.04.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

It is made clear that grant of interim order shall not be taken to be an expression on merits of the case in any manner. The case shall be considered on merits on the adjourned date.”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI

Madan Lal admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 07.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

July 08, 2021
archana

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