

208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9725-2021 (O&M)
Date of decision-06.09.2021

BHIYA RAM

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Anu Garg, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

CRM-6133-2021

This is an application filed under Section 482 Cr.P.C. for exemption from filing the certified copies of Annexures P-1 & P-2.

Application is allowed. The same are taken on record.

CRM-M-9725-2021

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0340 dated 05.09.2020, under Sections 18 & 27 (added later on) Narcotic Drugs and Psychotropic Substance Act, 1985, registered at Police Station Sadar Fatehabad, District Fatehabad. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 02.03.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the

petitioner. The said order reads as under:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that the petitioner has been falsely implicated in the present case and he is not named in the FIR and has been nominated on the second disclosure statement of the co-accused and he is ready and willing to join the investigation.

Notice of motion for 06.09.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, 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 incorporated under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Sukhwinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 02.03.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.09.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No