

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

207

**CRM-M-11731-2021 (O & M)
Date of Decision:09.08.2021**

VISHNU

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Vikas Sheel Verma, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

SUVIR SEHGAL, J.(ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.167 dated 13.08.2020, registered under Section 20 of the NDPS Act, 1985, at Police Station Hassanpur, District Palwal, Annexure P-1.

On 15.03.2021, this Court had passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Counsel for the petitioner has urged that recovery of four bags of Ganja, totalling 52 kg. 200 grams were recovered from a car in which Dinesh, who was driving, Sunil and Manoj were travelling. Counsel contends that the petitioner has been roped in on the basis of disclosure statement of the said co-accused, though he has neither been named in the FIR nor any recovery has been effected from him. Still further, on the basis of averment in para 15 of the petition, it is his categoric assertion that the petitioner is not involved in any other FIR, under the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion.

On asking of the Court, Mr. Rajiv Sidhu, DAG, Haryana accepts notice on behalf of respondent-State. He seeks and is granted time to verify the antecedents of the petitioner.

List on 09.08.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned State counsel on instructions from ASI Sikandar, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other case under the NDPS Act.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 15.03.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

09.08.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No