

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM-M-10875-2020

Date of decision: 30.07.2021

Laxman Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

...

SUVIR SEHGAL, J. (Oral)

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

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 0078 dated 24.02.2020, registered under Section 22-C of the Narcotic Drugs Psychotropic Substances Act, 1985 (for short "the NDPS Act"), at Police Station Sadar Fatehabad, District Fatehabad.

On 16.03.2020, the following orders were passed:-

"Counsel for the petitioner submits that no recovery has been effected from the petitioner and he has been named by the co-accused Sakatar Singh. The total recovery effected from Sakatar Singh was 862 grams of Tramadol with Strips. The actual weight of contraband recovered from the co-accused was 636 grams. He further submits that the petitioner is not involved in any other case

under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion for 27.04.2020.

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, upon instructions, from SI Ramji Lal submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He, however, submits that the petitioner is named as an accused in another FIR registered against him for offence under the NDPS Act.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 16.03.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

The petitioner shall furnish an undertaking to the effect that henceforth, he will not get involved in any criminal activity. In case, he violates the undertaking, it shall be open for the prosecution to seek cancellation of the bail.

30.07.2021
Kamal

(SUVIR SEHGAL)
JUDGE

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