

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

CRM-M-16241 of 2021

DECIDED ON: 8th JULY, 2021

Bablu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Arpandeeep Narula, Advocate for petitioner.

Mr. Rajiv Sidhu, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail in case of FIR No. 258 dated 21.8.2020, under Section 22 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Civil Lines, Sirsa, District Sirsa.

The brief facts are that during patrolling, on 21.8.2020 a Scooty bearing registration No. HR-24-Q-3963 was checked at Sirsa. The Scooty was being driven by Gurdeep Singh and 2700 intoxicant capsules (Ridley) Tramadol, etc., was recovered from the conscious possession of accused. During investigation in the disclosure statement the accused stated that he had purchased the capsules from the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot. There is no recovery to be effected from him. He was named only in the disclosure statement. There are no previous antecedents of the petitioner.

Learned State counsel relying upon the pleadings in the reply opposes the grant of anticipatory bail.

In the present case, there is no recovery from the petitioner. The main accused was granted default bail. The petitioner is nominated on the basis of disclosure statement. He is not involved in other FIR. The petitioner is granted pre-arrest bail subject to his joining the investigation within one week. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the investigating officer. He is directed to join investigation as and when called for. He shall be bound by the conditions as envisaged under Section 438(2) Cr.P.C.

The petition is allowed.

In case of failure of the petitioner to join the investigation, the State would be at liberty to file an application for recalling of this order.

8th JULY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>