

CRM-M-11065-2020

Date of Decision: 12.08.2021

Ramesh Singh alias Mahesh Kumar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gurdarshan S. Sidhu, Advocate,
for the petitioner.

Mr. Munish Sharma, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'pre-arrest bail' upon FIR No. 38 having been registered at Police Station Kalanwali, District Sirsa, on 15.02.2020, alleging therein the commission of an offence punishable under the provisions of Section 21 of the NDPS Act, 1985 and Section 420 of the IPC.

Learned State counsel, on instructions from ASI Kishori Lal, submits that the petitioner has joined investigation pursuant to the order dated 17.03.2020 and presently his custodial interrogation is not required.

That being so, with the quantity of contraband stated to have been recovered from the co-accused of the petitioner (as per the case of the investigating agency), being below commercial quantity in any case, this petition has been rendered infructuous in view of the statement made hereinabove.

The reply filed on behalf of the respondent-State, dated 22.07.2021, is ordered to be taken on record, with it of course to be noticed that as per the said reply filed by the DSP, it has been prayed that the petition be dismissed.

However, as already noticed, that the quantity of heroin stated to have been recovered from the petitioners' co-accused being below commercial quantity and the investigating officer himself not requiring the custodial interrogation of the petitioner, the order has been passed as hereinabove.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon them.

August 12, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.