

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

CRM-M-22117-2021
Date of decision: 03.06.2021

Ishwar Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.
Mr. Ankur Mittal, Addl. AG, Haryana.
*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.)*

ARUN PALLI, J. (Oral)

Petitioner prays for an anticipatory bail under Section 438 of Cr.P.C. in FIR No.95, dated 24.05.2021, under Section 22(b) of NDPS Act, 1985 (Section 27-A of NDSP Act added later on), registered at Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner submits that recovery of 450 tablets of Tramadol Hydrochloride (100 mg) was caused from Angrej Singh. He submits that neither the petitioner is named in FIR nor any recovery was effected from him. And he has been nominated only on the disclosure statement of the accused (Angrej Singh) that the petitioner would supply him the contraband. It is submitted that the petitioner neither has any such antecedents nor was ever involved in any such cases in the past. Further, even the alleged recovery is non-commercial in nature.

Notice of motion.

Mr. Ankur Mittal, learned Additional Advocate General appearing for the State of Haryana accepts notice on behalf of the respondent-State.

The factual position as set out above is not disputed by the learned State counsel. However, he submits that the FSL report is still awaited.

In the wake of the above, the petition is allowed. The petitioner is ordered to be released on bail subject to furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when required and shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

03.06.2021
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO