

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

CRM-M-22208-2021

Date of Decision: 04.06.2021

MAJOR SINGH

....PETITIONER

Versus

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Simranjeet Singh, Advocate,
for the petitioner.

SANT PARKASH J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

The concession of anticipatory bail has been sought by the petitioner through instant petition under Section 438 Cr.P.C., in case, FIR No.0071, dated 20.05.2021, under Section 15/61 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "Act") (lateron Section 27-A of the Act added), Police Station Ding, District Sirsa.

As per the prosecution case, on 20.05.2021, 5 kg of choora-post (poppy husk) was recovered from the possession of co-accused Tarsem Singh. The allegations against the present petitioner is that he had supplied the contraband to the co-accused and this fact has been cropped up in the disclosure statement of Tarsem Singh.

Notice of motion.

Mr. Manish Dadwal, AAG, Haryana accepts notice on behalf of the respondent-State. Copy of the paper book has already been

supplied to learned State counsel.

The factual aspect is not disputed by learned counsel appearing on behalf of the State.

After hearing learned counsel for the parties and keeping in view the fact that the recovery effected from the co-accused falls under non-commercial category; and custodial interrogation of the petitioner is not at all required, the concession of anticipatory bail is granted to him, subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave India without the previous permission of the Court.*
- (iv) that the petitioner shall surrender his passport, if any, before the concerned Chief Judicial Magistrate.*

04.06.2021
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(SANT PARKASH)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No