

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22703-2021 (O&M)
Date of Decision:- 11.11.2021

Lakhvir Singh @ Lakhi

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Virk, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by PSI Gurmesh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 112, dated 24.5.2021, Police Station Kalanwali, District Sirsa, under Section 15 of NDPS Act.
2. At the time of issuance of notice of motion the following order was passed on 10.6.2021:

“Learned counsel for the petitioner inter alia contends that the petitioner has been implicated on the disclosure statement of co-accused Iqbal Singh and Pussa Singh. The recovery of 06 kg of poppy straw has been recovered from the co-accused Iqbal Singh and Pussa Singh. Nothing has to be recovered from the petitioner. Further learned counsel for

the petitioner has referred to orders dated 24.08.2020 and 15.02.2021 (P-3 and P-4) whereby the co-accused has already been granted bail by this Court.

Notice of motion for 28.10.2021.

On the asking of the Court, Mr. Ankur Mittal, Addl. A.G., Haryana, accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, 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 them 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) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”

3. The learned State counsel, upon instructions from PSI Gurmish, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial

interrogation is not required. It has further been informed that the petitioner is not wanted in any other case.

4. In view of the aforestated position wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 10.6.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

11.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No