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

CRM-M No. 27528 of 2021
Date of Decision: 19.08.2021

Harpreet Singh @ Soni Saini

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Pankaj Bali, Advocate,
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner has preferred this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case bearing FIR No.923 dated 02.12.2020 under Sections 18-61-85 and 29 of NDPS Act registered at Police Station Sadar, Karnal.

Notice of motion was issued on 16.07.2021 by passing the following order:-

*“Prayer is for grant of anticipatory bail in
case FIR No.923 dated 02.12.2020 under
Sections 18-61-85 & 29 of NDPS Act registered*

at Police Station Sadar Karnal.

Based on the secret information, instant FIR was registered with the allegation that a car make Brezza was intercepted. Occupants of the car namely, Baljit Singh and Sube Singh were arrested. 07 kg 500 grams of opium was recovered from the car.

It is the case of the prosecution that the petitioner has been named in the disclosure statements of co-accused Baljit Singh and Sube Singh. Co-accused Baljit Singh admitted that he was in regular touch with the petitioner. It has come in their disclosure statements that they had purchased the contraband from the petitioner and one Bhim Singh @ Santosh, resident of Bihar. They further disclosed that petitioner had rented a hotel from Bhim Singh @ Santosh.

Learned counsel for the petitioner contends that the allegations against the petitioner are totally false. Co-accused Baljit Singh has been engaged by the petitioner as driver on his truck. The petitioner has no

connection or concern with the alleged contraband recovered. He is willing to fully cooperate with the investigating agency and would provide his mobile/mobiles as also disclose sim number of the same.

Notice of motion for 19.08.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioners are also directed to join the investigation and cooperate with the Investigating Agency, as and when required.

To be shown in the urgent list.

July 16, 2021
manoj

(Harinder Singh Sidhu)
Judge"

The case was ordered to be listed in urgent list.

Learned counsel for the petitioner submits that in compliance of said order, petitioner has joined the investigation. Petitioner has been nominated in the disclosure statements of co-accused namely Baljit Singh and Sube Singh against whom challan has already been submitted.

Allegations are that the aforesaid co-accused had purchased the contraband from the petitioner and one Bhim Singh @ Santosh.

Learned State counsel on instructions from SI Ranbir Singh admits the factum of joining of investigation by the petitioner and submits that custodial interrogation of the petitioner is not required.

In view of above, interim order dated 16.07.2021 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

August 19, 2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No