

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

**CRM-M-28070-2021 (O&M)
Date of Decision:15.09.2021**

Chaman Lal @ Bawa

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Deepak Agnihotri, Advocate for the petitioner.

Mr. Aman Bahri, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition was filed under Section 438 Cr.P.C. seeking benefit of anticipatory bail to the petitioner in case FIR No.0027, dated 29.01.2021, under Sections 15/29/61/85 of the NDPS Act, registered at Police Station Pehowa, District Kurukshetra.

On 23.07.2021 while issuing notice of motion, the following order was passed:

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in FIR No. 0027 dated 29.01.2021, under Sections 15, 29, 61, 81 of the NDPS Act, registered at Police Station Pehowa, District Kurukshetra.

Counsel submits that as per prosecution version an alleged recovery of 4 Quintals 1 kilogram 785 grams of poppy husk was effected from co-accused namely Vijay Kumar and Gurmukh Singh alias Koka. The present petitioner is sought to be implicated on the disclosure statement of yet another co-accused Ajaib Singh alias Laddi and as per which the consignment was to be delivered to the petitioner as also to others.

It has been argued that no recovery has been effected from the petitioner. He possesses clean antecedents inasmuch as is not involved in any other case under the NDPS Act. Counsel further submits that petitioner is otherwise ready and willing to join investigation.

Notice of motion returnable for 15.09.2021.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Prem Chand informs the Court that the petitioner has since joined investigation.

In view of the above, prayer made in the petition is accepted.

Order dated 23.07.2021 passed by this Court is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

15.09.2021

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |