

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM-M-23602-2020

Date of decision:- 27.08.2021

Ajay Kumar alias Bablu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Arpandeeep Narula, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 212 dated 25.07.2020, registered under Section 22 (b) of the Narcotic Drugs Psychotropic Substances Act, 1985, at Police Station Civil Lines Sirsa, District Sirsa (Annexure P-1).

On 20.08.2020, this Court passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 pandemic.

Counsel for the petitioner has argued that a recovery of 410 intoxicants capsules was effected from one Ravi Dutt Sharma, who in his disclosure statement, had named the petitioner as a person from whom the contraband had been purchased. Counsel urges that the disclosure statement per se is inadmissible in evidence. He has further submitted that the petitioner is not involved in any other criminal case.

Notice of motion.

On the asking of the Court, Mr. Munish Bansal, DAG, Haryana, who is present through video conferencing, accepts notice on behalf of the State of Haryana. As per his instructions, FSL report is still awaited.

Adjourned to 05.10.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Though, as per instructions received by the State counsel, FSL report has still not been received, but he submits that the petitioner has joined the investigation, he is no longer required for custodial interrogation and is not involved in any other criminal case.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 20.08.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

27.08.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No