

In the High Court of Punjab and Haryana at Chandigarh

213

CRM-M-29417-2021 (O & M)

Date of Decision: September 14, 2021

ARUN KUMAR ALIAS KALA PANDIT

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Samar Ahluwalia, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 232 dated 21.04.2021, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short) (Sections 25 and 29 of the NDPS Act and Sections 34, 201 and 216 of the Indian Penal Code, 1860, were added later on), registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends that neither the petitioner is named in the FIR nor any recovery has been effected from him. It is alleged that 29 kilograms 'ganja patti' was recovered from co-accused Shakil. On the disclosure statement of co-accused Shakil, a canter carrying 296 kilograms 'ganja patti' was also recovered. The petitioner has been arraigned as an accused on the statement of one Meena, who is the wife of co-accused Nehri, that the petitioner had given a sum of ₹1,00,000/- for the transportation of the contraband. He also contends that the petitioner is not involved in any

other case under the NDPS Act.

This Court, by the order dated 28.07.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel has filed the status report by way of affidavit of Assistant Superintendent of Police, Samalkha, District Panipat along with Annexures R-1 and R-2. The same are taken on record. By referring to the status report, he states that the petitioner has joined investigation and the custodial interrogation is not required by the police in this case.

In view of the above and the petitioner having joined investigation, the order dated 28.07.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

September 14, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No