

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

206

CRM-M-31940-2021

Date of Decision: 15.11.2021

Suresh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. D.N.Ganeriwala, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Dilbag.

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.237 dated 30.06.2021 at Police Station Sadar Narwana, District Jind, under Sections 17/27(a) of the NDPS Act.
2. At the time of issuance of notice of motion on 10.08.2021, the following order was passed:

“Prayer is for grant of anticipatory bail in case FIR No.237 dated 30.06.2021 under Sections 17,27(a) of NDPS Act registered at Police Station Sadar Narwana, District Jind.

Based on a secret information, present FIR was lodged with the allegations that a motorcycle being driven by co-accused Sonu was intercepted. During search, 650 grams of opium was recovered from him. Present petitioner has been indicted on the disclosure statement of coaccused Sonu, who stated that he had purchased said contraband from the petitioner for a sum of Rs.20,000/-.

Notice of motion.

Sh. Surender Singh, AAG, Haryana accepts notice on behalf of respondent-State of Haryana and submits that calls were

exchanged between the petitioner and co-accused Sonu fortifying that the petitioner was the supplier of Sonu.

On the contrary, learned counsel for the petitioner contends that the recovery effected from co-accused Sonu is of non-commercial nature. Though there are three other criminal cases registered under the provisions of IPC and Excise Act against the petitioner, however, no case is registered under the NDPS Act against him. The petitioner undertakes to cooperate with the investigating agency.

Adjourned to 15.11.2021.

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 petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 10.08.2021 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.

15.11.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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