

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

CRM-M-35405-2021

Date of Decision:-16.12.2021

Ravinder @ Vicky.

.....Petitioner.

Versus

State of Haryana.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Naresh Jain, Advocate for the Petitioner.

Mr. Bhupinder Singh, Deputy Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for the grant of anticipatory bail under Section 438 Cr.P.C. in case FIR No.219 dated 01.07.2021, under Section 15 of NDPS Act registered at Police Station, Sadar Dabwali, District Sirsa.

This Court vide order dated 31.08.2021 passed the following order:-

“ Learned counsel for the petitioner contends that the alleged contraband (38.5 Kgs. of poppy husk) was recovered from accused Pawan Kumar @ Bablu who was arrested on the spot and subsequently, on his disclosure statement, the petitioner along with two others was implicated on the ground that 20 Kgs poppy husk was sold by him to Pawan Kumar @ Bablu. He submits that in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 16.12.2021.

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 ”

Learned Counsel for the petitioner submits that pursuant to the order dated 31.08.2021 petitioner has joined the investigation.

Learned State Counsel admits the aforesaid fact but states that as per his instructions the petitioner is not co-operating in the investigation. On being asked, he has not been able to show as to how the petitioner has not cooperated in the investigation.

Be that as it may, given the facts that no recovery has been effected from the petitioner and that he has already joined the investigation, and that he has been named in the disclosure statement of the co-accused alone, the order dated 31.08.2021 passed by this Court 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.PC.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 16, 2021

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>