

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

**CRM-M-39691-2021
Date of decision-13.12.2021**

Kuldeep

....Petitioner

Vs.

State of Haryana `

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr.Vikas Bishnoi, Advocate for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

SANT PARKASH, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner, in case, FIR No.98 dated 12.04.2021, registered under Sections 21(b) and 27-A of the NDPS Act (Section 22 (b) deleted during investigation), at Police Station Sadar Fatehabad, District Fatehabad.

While issuing notice of motion in the this case vide order dated 23.09.2021, the following order was passed by this Court.

“Prayer is for grant of anticipatory bail in case FIR No.98 dated 12.04.2021 under Sections 21(b) and 27-A of NDPS Act (Section 22 (b) deleted during investigation) registered at Police Station Sadar Fatehabad, District Fatehabad.

As per allegations in the FIR, co-accused Jaswinder Singh @ Jassa was apprehended by the police party and 100 intoxicating tablets containing Tramadol Hydrochloride and 100 tablets containing SR Radol weighing 45.1 grams were recovered from him. Name of the petitioner is alleged to have surfaced in the disclosure statement of co-accused Jaswinder Singh that he had purchased the contraband from the petitioner.

Learned counsel for the petitioner contends that the petitioner has falsely been roped in. He has no concern or connection with the alleged recovery and that there is no other case under the NDPS Act registered against him. The petitioner undertakes to cooperate with the investigation including making available his mobile phone so as to facilitate the investigation.

Notice of motion for 13.12.2021.

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.”

Learned State counsel, on instructions from ASI Gurpal Singh, submits that the petitioner has joined the investigation and his custodial interrogation is not required.

Having considered the facts and circumstances of the case, order dated 23.09.2021 passed by this Court is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of accordingly.

(SANT PARKASH)
JUDGE

13.12.2021

Anjal

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