

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

CRM-M-43531 of 2021

Date of decision 29.10.2021

Varun Kumra @ Varun Kumar

Petitioner

Versus

State of Punjab.

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Piyush Khanna, Advocate for the petitioner.
Ms. Bhavna Gupta, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

In this petition seeking anticipatory bail, following order was passed on 14.10.2021:

“Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 84, dated 8th June, 2021, under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 [hereinafter referred to as 'Act'] registered at Police Station Bullowal, District Hoshiarpur.

The police acting on a secret information on 8th June, 2021 apprehended Anoj Kumar @ Noji. Sixty grams of intoxicating powder was recovered from his conscious possession. He made a disclosure statement that intoxicating powder was purchased from Varun Kumra alias Varun Kumar (petitioner).

Learned counsel for the petitioner submits

that petitioner was not apprehended from the spot, no recovery was made from him and he has no criminal antecedents.

Learned State counsel opposes the prayer for grant of anticipatory bail and submits that petitioner was named as supplier. However, on instructions, fairly submits that petitioner is not involved any other case under the Act.

The petitioner was not apprehended from the spot. His name surfaced in the disclosure statement. Recovery was made from co-accused who has been granted interim bail pending the report of F.S.L. Petitioner is granted interim bail subject to his joining investigation within seven days. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Arresting/Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 29th October, 2021.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the State on instructions is not in a position to dispute the factum that the petitioner has joined investigation. She, however, submits that on the last date due to incomplete instructions it was stated that the petitioner is not involved in any other case whereas the petitioner is involved in two more cases under the NDPS Act, 1985.

Mere involvement of the petitioner in two more cases in itself will not be a ground to deprive him the relief of anticipatory bail. As no custodial interrogation is needed, the interim bail granted on 14.10.2021 is

made absolute.

Disposed of accordingly.

**[AVNEESH JHINGAN]
JUDGE**

29th October, 2021
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |