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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.40899 of 2020

Date of Decision: 07.04.2021

GURJEET SINGH

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. K.L. Saini, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail in case bearing FIR No.110 dated 27.10.2020 registered under Sections 21 and 29 of the NDPS Act at P.S. City Pehowa, District Kurukshetra.

Petitioner has been nominated on the basis of disclosure statement of co-accused Malak Singh, who was arrested along with 16 grams of smack. Allegations are that the petitioner used to supply heroin to said Malak Singh.

Vide order dated 10.12.2020, petitioner was directed to join the investigation and in the event of his arrest, he was to be enlarged on interim bail to the satisfaction of the Arresting

Officer. Thereafter vide order dated 27.01.2021, petitioner was again directed to join the investigation on the same terms and conditions and co-operate with the Investigating Officer.

Today, learned State counsel submitted that the petitioner has joined the investigation and has also facilitated recovery of mobilephone. Motorcycle is yet to be recovered from the petitioner.

Learned counsel for the petitioner submitted that the petitioner is not owner of any motorcycle, nor any motorcycle was ever used in commission of the crime. As per allegations in the FIR, motorcycle make CD-Deluxe, Regn. No.HR41-F-6215 was used by Malak Singh in doing the work of selling heroin/smack. The said motorcycle has nothing to do with the present petitioner.

In view of aforesaid facts, it would be just and appropriate to confirm the order dated 10.12.2020. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of accordingly.

(RAJ MOHAN SINGH)
JUDGE

April 07, 2021
Atik

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No