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

CRM-M No. 41655 of 2020
Date of Decision: 15.07.2021

Arvind @ Billu

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Anurag Chopra, Advocate, for
Mr. D.S. Virk, Advocate,
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through
video conferencing.

Petitioner seeks grant of anticipatory bail under
Section 438 Cr.P.C. in case bearing FIR No.368 dated
23.10.2020 registered under Sections 17 (b)/61/85 of NDPS Act
at Police Station Sadar Dabwali, District Sirsa.

On 11.12.2020, following order was passed:-

*“The case has been taken up for hearing
through video-conferencing.*

*Learned counsel for the petitioner
contends that the petitioner has been*

nominated on the basis of disclosure statement of co-accused Pawan Kumar, who was arrested by the police alongwith 100 gms of opium in a transparent polythene bag. Petitioner is alleged to be pillion rider of the motorcycle from where recovery has been effected. Petitioner is neither owner nor in possession of the motorcycle. Recovery has not been effected from the conscious possession of the petitioner. The same has been effected from the motorcycle. The alleged recovery is non commercial in nature.

Notice of motion for 02.02.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 18.12.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Learned counsel for the petitioner submits that the petitioner has joined the investigation in compliance of order dated 11.12.2020.

Learned State counsel on instructions from ASI Shailender Kumar admits the aforesaid fact and submits that he is no more required in further investigation of the case.

In view of above, order dated 11.12.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

15.07.2021
Jyoti Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No