

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

Sr. No.202

CRM-M-2208 of 2022

Date of Decision: 23.02.2022

Shanty Singh

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Ashish Grewal, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana.

SANT PARKASH, J.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 438 Cr.P.C.
seeking grant of anticipatory bail in case FIR No.198 dated 15.05.2021,
registered under Sections 21, 61 and 85 of NDPS Act at P.S.Gandhi Nagar,
District Yamunanagar.

On 20.01.2022, this Court passed the following orders:-

“Heard through video conferencing.

*The petitioner is seeking anticipatory bail in FIR No.
198 dated 15.05.2021, under Sections 21/61/85 of the Narcotic
Drugs and Psychotropic Substances Act, 1985 (‘NDPS Act’-
for short), registered at Police Station Gandhi Nagar, District
Yamuna Nagar.*

*Learned counsel for the petitioner contends that the
petitioner has been arraigned as an accused on the statement
of co-accused from whom 7 grams of smack (non-commercial
quantity) was allegedly recovered. Besides the statement of
co-accused, there is no prima facie material which would
connect the petitioner with the alleged commission of offence.
He is not involved in any other case under the NDPS Act.*

Issue notice to the respondent.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana, accepts notice on behalf of the respondent.

List on 23.02.2022.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Upon instructions from ASI Dilbagh Singh, learned State counsel submits that in compliance of the aforesaid orders, the petitioner has joined the investigation and his custodial interrogation is not required.

Having considered the facts and circumstances of the case, order dated 20.01.2022 passed by this Court is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Accordingly, the petition stands disposed of.

**(SANT PARKASH)
JUDGE**

23.02.2022
Maninder

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