

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

204

**CRM-M-6850-2022 (O&M)
Date of decision: 16.05.2022**

BIRBAL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Amit Choudhary , Advocate
for the petitioner.

Mr. Ashish Yadav, Additional AG Haryana.

VINOD S. BHARDWAJ. J. (ORAL)

Prayer in this petition filed under Section 438 of the Code of Criminal Procedure is for grant of anticipatory bail to the petitioner in case FIR No.92 dated 03.02.2022 under Sections 21(b), 29 & 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Fatehabad, District Fatehabad.

Learned counsel for the petitioner *inter alia* contends that pursuant to the order dated 23.02.2022 passed by this Court, the petitioner has joined investigation and is no longer required for investigation of the case.

Learned State counsel, on instructions from ASI Ravinder Kumar corroborates the said averment and submits that the custodial interrogation of the petitioner is not required for the purpose of investigation. Learned State counsel has pointed out that there are other cases registered against the petitioner as well. However, he could not controvert the fact that the petitioner is already on bail in the said matters and the petitioner has been nominated in the instant case on the disclosure statement of co-accused Joginder.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required, the present petition is allowed and the interim order dated 23.02.2022 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) CrPC.

(VINOD S. BHARDWAJ)
JUDGE

May 16, 2022

S.Sharma(syr)

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