

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10838-2021 (O&M)
Date of Decision:-17.3.2022

Kulwant Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kumar Tada, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Rajinder.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0396 dated 4.9.2020 at Police Station Rania, District Sirsa under Section 15 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion, the following order was passed on 9.3.2021:

“Learned counsel for the petitioner submits that it is a case where recovery of 13.100 kgs. of ‘Poppy Husk’ was recovered from coaccused Raj Pal @ Raju and Surinder and that the petitioner

came to be nominated subsequently on the basis of disclosure statement. It has been submitted that initially the accused made a disclosure statement to the effect that they had purchased the contraband from Suresh. It has further been submitted that subsequently another disclosure statement was made by the accused to the effect that the contraband in question was purchased from one Kulwant Singh (petitioner) and was to be supplied to Bhim Raj. It has been submitted that no sanctity can be attached to such kind of disclosure statements and in fact it is a case where two disclosure statements had been made wherein different versions had been given.

Notice of motion for 10.7.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and that he is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 9.3.2021 are hereby made absolute, subject to the condition that the

petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

17.3.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No