

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-13510-2022
Decided on :11.07.2022

Lakshit Kalra

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Karan Pathak, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 44 dated 03.02.2022 registered under Section 21 of the Narcotic Drugs and Psychotropic Substance Act, 1985 registered at Police Station DLF, District Gurugram.

On 31.03.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that neither the petitioner has been named in the FIR nor any recovery has been effected from him and the recovery of 13 grams of Cocaine has been effected from one Nischay which is much lesser than commercial quantity inasmuch as commercial quantity starts from 100 grams. It is further submitted that the said Nischay and other coaccused have already been granted regular bail by this Court vide order dated 10.03.2022. It is argued that the petitioner is sought to be implicated on the basis of the disclosure statement of the said co-accused, as per which, as far as the present recovery is concerned, the petitioner is not

the person who is alleged to be the seller and it is one Mac who is stated to be seller whereas the present petitioner is stated to be a person to whom it had to be sold to. It is further submitted that the petitioner is not involved in any other case under the NDPS Act.

Notice of motion.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of State of Haryana and seeks time to get instructions.

Adjourned to 12.05.2022.

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

Subsequently, on 12.05.2022, this Court was pleased to pass the following order:-

“Learned State counsel, on instructions from ASI Jasbir Singh, has submitted that the petitioner has not joined the investigation.

In view of the above, the petitioner is again directed to join the investigation on 19.05.2022 at 11.00 AM.

Adjourned to 11.07.2022.

Interim order to continue.”

Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Jasbir Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 31.03.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 31.03.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

July 11th,2022
Mehak

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