

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

CRM-M-15007-2022 (O&M)
Date of Decision:-1.9.2022

Saroj ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Govind Mor, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana,
assisted by SI Suresh Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.744, dated 19.9.2021, Police Station Barwala, District Hisar, under Sections 21(b)-61-85 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. At the time of issuance of notice of motion, the following order was passed on 8.4.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.744 dated 19.9.2021, Police Station Barwala, District Hisar, under Sections 21(b)-61-85 of Narcotic Drugs & Psychotropic Substances Act.

As per the case of prosecution, pursuant to receipt of secret information, one Robin was arrested, who was found in possession of 64 grams of 'heroin'. It is further the case of prosecution that during the course of interrogation he suffered a disclosure statement to the effect that he had purchased the said contraband from the petitioner.

Learned counsel for the petitioner submits that the petitioner was never ever arrested at the spot or found in possession of any contraband and has been nominated on the basis of a disclosure statement, which is no evidence in the eyes of law.

Notice of motion for 1.9.2022.

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 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 SI Suresh Kumar, has informed that pursuant to interim directions, the petitioner has since joined investigation and she 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 she 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 8.4.2022 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.

1.9.2022
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No