

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

CRM-M-18631-2022 (O&M)
Date of Decision:-12.9.2022

Mohammad Junaid

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Rajesh 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.465, dated 9.12.2021, Police Station Gandhi Nagar, District Yamuna Nagar, under Sections 21-B, 29, 61, 85 of NDPS Act.
2. At the time of issuance of notice of motion, the following order was passed on 4.5.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.465, dated 9.12.2021, Police Station Gandhi Nagar, District Yamuna Nagar, under Sections 21-B, 29, 61, 85 of NDPS Act.

The FIR was lodged on the basis of a secret information received by the police to the effect that Tusar alias Ranja alias Gurmeet indulges in sale of 'Smack'. Pursuant to receipt of said information said Tusar alias Ranja alias Gurmeet was apprehended by the police and 10 grams of 'Smack' was recovered from his possession. It is further the case of prosecution that during the course of interrogation said Tusar alias Ranja alias Gurmeet nominated the petitioner as his supplier of the contraband. Learned counsel for the petitioner submits that he is nowhere named in the FIR and was never ever found in possession of any contraband. Learned counsel further submits that the petitioner has been nominated on the basis of a disclosure statement allegedly made by accused Tusar alias Ranja alias Gurmeet which would not carry any evidentiary value.

Notice of motion for 12.9.2022.

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 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 SI Rajesh Kumar, 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 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 4.5.2022 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.

12.9.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No