

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20576-2022(O&M)

Date of Decision:-06.08.2022

SACHIN @ SONU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Surinder Kumar Daariay, Advocate for
Mr. S.K. Verma, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.22 dated 16.01.2022 registered under Sections 489-B, 489-C IPC and Sections 21, 61, 85 of NDPS Act at Police Station City Sirsa, District Sirsa.

Learned counsel for the petitioner contends that the petitioner has joined the investigation with the Police in the light of the previous order dated 13.05.2022 passed by this Court.

The State counsel on instructions from SI Ran Singh has not refuted the aforesaid assertions raised by the counsel for the petitioner and further submits that the petitioner is not required by the Police for any further investigation or for custodial interrogation.

On query being put, the State counsel apprised the Court that the petitioner is having no criminal antecedents and was not named in the FIR and was arraigned as accused only on the basis of alleged disclosure made by co-accused.

Admittedly the recoveries have already been effected in the present case from the co-accused.

As per the prosecution version the said recoveries include 15.65 grams of heroine from co-accused Raman Kumar alias Pamma. The aforesaid recovery of contraband is not covered under the embargo imposed under Section 37 of NDPS Act.

In the light of the above, without commenting on the merits of the case, the present petition is allowed and order dated 13.05.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

06.08.2022
Amandeep

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?

Yes / No

Whether reportable?

Yes / No