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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-22919-2021
Date of Decision: 10.02.2022**

Kashmir Singh

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.264 dated 26.07.2020, under Sections 22 (C)/61/85 of NDPS Act, registered at Police Station City Mandi Dabwali, District Sirsa.

The petitioner was granted interim bail on 11.06.2021 and as per the allegations contained in the FIR, 1000 Tramadol Hydrochloride tablets were recovered from the possession of Hardeep Singh and it was on his disclosure statement that the petitioner has been nominated. Learned counsel has submitted that in pursuance of the orders passed by this Court on 11.06.2021 the petitioner has joined the investigation and has cooperated with the investigation process and there is no material to

connect the petitioner with the offence apart from the disclosure statement of the co-accused. He further submitted that at the time of filing of the present petition, the petitioner was not involved in any other case but thereafter one FIR was registered against him on 14.07.2021 in which he has been granted bail.

Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana has submitted on instructions from SI Krishan that in pursuance of the orders passed by this Court on 11.06.2021 the petitioner has already joined investigation and he is fully cooperating with the investigation process and he is not required for custodial interrogation.

I have heard the learned counsel for the parties.

A specific stand has been taken by the learned State counsel that the petitioner is not required for custodial interrogation and since there is no objection for grant of bail to the petitioner, the bar contained under Section 37 of the NDPS Act will not apply.

In view of the aforesaid position, the present petition is allowed and the order dated 11.06.2021 is hereby made absolute.

10.02.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No