

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

209

CRM M- 21527 of 2022

Date of Decision: July 26, 2022

Manoj

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. Sahil Gambhir, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

VIKAS BAHL, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure is for grant of anticipatory bail to the petitioner in FIR No. 160 dated 03.04.2022 registered under Section 17(B), 61 & 85 of NDPS Act, 1985 registered at Police Station Dabwali Sadar, District Sirsa.

On 18.05.2022 while issuing notice of motion in the present petition, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel contends that the recovery of alleged contraband (320 gram opium) was made from co-accused-Ashok Kumar, who was arrested at the spot and subsequently upon his disclosure statement, the petitioner has been indicted as an accused. According to him, in the given facts, the custodial interrogation of the

petitioner may not be necessary as he is willing to join the investigation.

Notice of motion for 26.07.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

*May 18, 2022
vanita*

*(MANOJ BAJAJ)”
JUDGE*

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 18.05.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Kheta Ram, has submitted that the petitioner has joined the investigation on 03.06.2022 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 18.05.2022 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 18.05.2022 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.

July 26, 2022
amit rana

(VIKAS BAHL)
JUDGE

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