

CRM-M-26570 of 2022

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

CRM-M-26570 of 2022
Date of decision: 09.11.2022

Vikram

.....Petitioner

vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

NAMIT KUMAR, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case bearing FIR No.443 dated 28.05.2022 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Assandh, District Karnal.

On 21.07.2022 a Co-ordinate Bench of this Court passed the following order: -

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 443, dated 28.05.2022 registered under Section 21 of the NDPS Act at Police Station Assandh, District Karnal.

The allegations are that one Kulwant Singh was apprehended by the police, and 20 gms of smack was recovered from him. Kulwant Singh in his disclosure statement stated that he had purchased 35

CRM-M-26570 of 2022

grams of smack from the petitioner for a sum of Rs. 30,000/-. Out of which, some he had consumed and the rest he has sold.

Mr. Parminder Singh, Learned counsel for the petitioner has argued that the petitioner has been implicated only on the basis of a disclosure statement. He is ready and willing to join investigation.

Notice of motion for 20.10.2022.

In the meanwhile, in the event of arrest of petitioner, he shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/ Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438(2) Cr.P.C.”

Status report dated 11.07.2022 by way of affidavit of Gaurav, IPS, Addl. Superintendent of Police, Assandh, Karnal, has been filed on behalf of respondent-State of Haryana, which is on record.

Learned State counsel, on instructions from S.I. Shri Bhagwan, submits that the petitioner has joined the investigation pursuant to order dated 21.07.2022. However, she submits that there are two other cases where the petitioner is involved. Learned counsel for the petitioner submits that in both the cases the petitioner is on bail.

Keeping in view the fact that recovery is non-commercial, as has been noticed while granting interim pre-arrest bail vide order dated 21.07.2022, and the fact that the petitioner has joined the investigation, interim order dated 21.07.2022 is made absolute subject to compliance of conditions as envisaged under Section 438 (2) Cr.P.C.

It is made clear that in case in future, the petitioner is involved

CRM-M-26570 of 2022

in any NDPS case, the anticipatory bail granted in this case would automatically stand withdrawn.

The present petition stands disposed off.

09.11.2022
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No