

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-27699-2022

Date of decision : 16.08.2022

Omi Devi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.K.L.Saini, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.39 dated 17.01.2022 registered under Section 21-C of the Narcotic Drugs and Psychotropic Substances, Act, 1985 at Police Station City Hansi, District Hansi.

On 29.06.2022, this Court was pleased to pass the following order:-

“Inter alia contends that no recovery has been effected from the present petitioner and the petitioner is sought to be implicated solely on the basis of the disclosure statement of Mukesh Kumar, from whom the recovery has been effected and even as per the said disclosure statement, 100 grams of contraband was sold to the petitioner and one Mandeep @ Munna by Mukesh and the said quantity of 100 grams of contraband is non commercial quantity.

Notice of motion for 16.08.2022.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of

Arresting/Investigating Officer.

*However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.
29.06.2022”*

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

Learned State counsel, on instructions has submitted that the petitioner has joined investigation on 30.07.2022 and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 29.06.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 29.06.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

August 16, 2022
Davinder Kumar

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