

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

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**CRM-M-32599-2022
Date of Decision:-21.11.2022**

Prithvi

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM:HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Ramandeep Kaur, Advocate for
Mr. Vikas Bishnoi Godara, Advocate
for the petitioner.

Mr. Naveen Sheoran, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.264 dated 03.05.2022 registered under Sections 15 of NDPS Act at Police Station Adampur, District Hisar.

Learned counsel appearing on behalf of the petitioner submits that as per prosecution version 2 kg and 200 gms of poppy husk was recovered from the possession of co-accused-Sita Ram and on interrogation he disclosed the name of the present petitioner.

Learned counsel for the petitioner further submits that the petitioner has joined the investigation with the police in pursuance of the previous order of the interim bail dated 28.07.2022.

The State counsel on instructions on SI-Baljeet Singh has not disputed the fact that the petitioner was nominated as accused on the basis of the disclosure made by the co-accused Sita Ram from whom police

recovered 2 kg and 200 gms of poppy husk.

The State counsel has further submitted that the petitioner who has joined the investigation is not required that the police for any further investigation.

The present case being relating to recovery of non-commercial quantity of contraband, rigors of Section 37 NDPS Act are not applicable. Further, the petitioner is having no criminal antecedents as has been admitted by the State Counsel.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 28.07.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

21.11.2022
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(KARAMJIT SINGH)
JUDGE

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