

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

212

CRM-M-38771-2021

Date of Decision: 22.02.2022

Dinesh Arora

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Gurinder Singh Goraya, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ESI Baldev Raj.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.419 dated 4.9.2021 at Police Station City Tohana, District Fatehabad under Sections 22(c) and 27-A of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion on 17.09.2021, the following order was passed:

“The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.419 dated 4.9.2021 at Police Station City Tohana, District Fatehabad under Sections 22(c) and 27-A of Narcotic Drugs & Psychotropic Substances Act.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and infact he is nowhere named in the FIR. It is alleged that as per the

FIR one Santokh Singh was found in possession of 4970 tablets of 'Tramadol', who is later alleged to have made a disclosure statement stating that the said contraband had been supplied to him by the petitioner.

Learned counsel for the petitioner submits that the petitioner was never ever found at the spot and that no evidentiary value can be attached to be disclosure statement especially when there is no other corroborative evidence to substantiate the same.

Notice of motion for 22.2.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Opposing the petition, learned State counsel upon instructions has submitted that during the course of investigation, since the investigating agency has collected call details record indicating that the petitioner was regularly in touch with other co-accused, no case for grant of bail is made out. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and his custodial interrogation is not required, the petition is accepted and the interim directions issued by this Court vide order dated 17.09.2021 are hereby made

absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

22.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**