

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-35004-2022 (O&M)

Date of Decision:-29.11.2022

Bhim

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Sanpreet Sandhu, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,  
assisted by SI Anoop Singh.

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.57, dated 7.4.2021, Police Station Radaur, District Yamuna Nagar, under Sections 21/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. At the time of issuance of notice of motion, the following order was passed on 8.8.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 57, dated 07.4.2021, Police Station Radaur, District Yamuna Nagar, under Sections 21, 29, 61, 85 of NDPS Act.

The FIR was registered pursuant to receipt of secret information to the effect that co-accused Akash was indulging in sale of ‘smack’. Pursuant to receipt of said information aforesaid Akash was arrested by the police and 6 grams of ‘smack’ was recovered. It is further the case of prosecution that during the course of

interrogation he disclosed that he had procured the same from one Vijay. Said Vijay was also apprehended by the police. During his interrogation he disclosed that he had further procured the same from petitioner-Bheem.

Learned counsel has submitted that the petitioner was never ever found at the spot and has been nominated on the basis of a disclosure statement made by one Vijay who himself came to be nominated on the basis of a disclosure statement. It has been submitted that such like disclosure statements would not carry any evidentiary value and in the absence of any other connecting evidence the petitioner deserves to be granted anticipatory bail.

Notice of motion for 29.11.2022.

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 the 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. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. It has also been informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and he is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 8.8.2022 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.

29.11.2022

pankaj

( Gurvinder Singh Gill )  
Judge

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |