

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

202

CRM-M-44722-2021(O&M)

Date of decision: 04.04.2022

RISHIPAL SINGH

....Petitioner

Versus

STATE OF HARYANA

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Rakesh Sharma, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG Haryana.

VINOD S. BHARDWAJ. J. (ORAL)

Prayer in this petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in case FIR No.119 dated 11.09.2021 under Sections 22(c) of the NDPS Act, 1985 and later on added Section 27-A of the NDPS Act, 1985 registered at Police Station Jakhal, District Fatehabad.

Learned counsel for the petitioner *inter alia* contends that pursuant to the order dated 27.10.2021 passed by this Court, the petitioner has joined investigation and is no longer required for investigation of the case.

Learned State counsel, on instructions from ASI Sadi Ram corroborates the said averment and submits that the custodial interrogation of the petitioner is not required for the purpose of investigation as he had already joined investigation. It is, however, pointed out that certain information from the petitioner is required to be obtained with respect to persons to whom the alleged contraband was sold.

The aforesaid statement would not *ipso facto* disentitle the petitioner to be granted the concession of anticipatory bail inasmuch as the said aspects can always be determined even if the petitioner does not give specific names through more scientific and apt investigation

In view of the above, the present petition is allowed and the interim order dated 27.10.2021 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) CrPC.

(VINOD S. BHARDWAJ)
JUDGE

April 04, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>