

Ramphal

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.428 dated 02.09.2020 under Sections 21(b) and 27-A of the NDPS Act registered at Police Station City Fatehabad, District Fatehabad, who apprehends his arrest at the hands of Police.

On 26.10.2021, this Court had passed the following order:-

“Learned counsel contends that the contraband (11.85 grams heroin) was recovered from Rajiv Kumar @ Rinku, who was arrested on the spot and upon his disclosure statement, three more accused persons were indicted including the petitioner. According to him, in the given facts custodial interrogation of the petitioner may not be necessary.

Notice of motion for 17.02.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by SI Juglal states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 26.10.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

14.03.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No