

Rattan Singh @ Phoolle @ Fauji

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Mr. Amrik Narwal, 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.298 dated 11.09.2021 under Section 20 (B) (ii) (A) of NDPS Act, 1986 registered at Police Station Dharuhera, District Rewari, who apprehends his arrest at the hands of Police.

On 29.11.2021, this Court had passed the following order:-

“Learned counsel contends that the contraband (4 k.g ganja) was recovered from co-accused Pawan and Vishal @ Ponga, who were arrested at the spot, however, accused Harish @ Hariya managed to escape and later on Harish @ Hariya was also arrested and upon his disclosure statement, petitioner was arraigned as an accused. According to him, in the given facts the custodial interrogation of the petitioner may not be

necessary.

Notice of motion for 17.03.2022.

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 Harish 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 29.11.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.03.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No