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

CRM-M-50661-2021

Date of decision : 02.03.2022

Prem Chand @ Sunny

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Mahima Dogra, Advocate for
Ms. Kanika Ahuja, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.571 dated 02.07.2020 registered under Sections 21 and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 25 of the NDPS Act has been added later on) at Police Station City Thanesar, District Kurukshetra, Haryana.

On 03.12.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Submits inter alia that no recovery was directly effected from the petitioner. On the other hand, a small quantity of smack weighing 6.45 gms. was recovered from one Raj Kumar @ Raju, who in his disclosure statement

mentioned the petitioner's name and also of Savitri Devi, who was subsequently arrested, who is the mother of the Raj Kumar @ Raju. Both the above accused persons have already been granted regular bail by the Ld. Trial Court.

2. Notice of motion.

3. On the asking of the Court, Mr. Kanwar Sanjiv Kumar, Assistant Advocate General, Haryana accepts notice on behalf of the respondent. Let a copy of the Paper-book be supplied to him during the course of the day.

4. List on 02.03.2022.

5. Meanwhile, in the event of arrest of the petitioner by the Arresting/Investigating Officer, he shall be released on interim bail subject to the following conditions:-

I. That he shall make himself available for interrogation by a Police Officer as and when required;

II. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;

III. That he shall not leave India without prior permission of the Court.

03.12.2021

Sd/- (SUDIP AHLUWALIA)

JUDGE ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 03.12.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Sunder Pal, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso,

the facts which have been noticed in abovesaid order dated 03.12.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 03.12.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

02.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No