

2023:PHHC:049403

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 213

CRM-M-940-2023

Date of Decision:-11.04.2023

KARAN ALIAS KARNI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Narender Kaajal, Advocate for the petitioner.

Mr. Naveen K. Sheoran, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No. 575 dated 24.10.2022 registered under Section 21(b), 27-A NDPS Act at Police Station City District Fatehabad.

The allegations in brief are that police recovered 20 grams of Heroin from co-accused Pawan Kumar and Ankush and they named one Paramjit Kaur @ Pammi and consequently the said lady was also arrested and she disclosed that she procured the aforesaid contraband from the present petitioner and consequently the present petitioner was nominated as accused.

On the last date of hearing detailed order was passed by this Court whereby while granting interim bail to the petitioner with direction to him to join the investigation. Today the counsel appearing on behalf of the petitioner submits that the petitioner who is having no criminal history has joined the investigation with the police by virtue of the aforesaid order of interim bail.

Learned State counsel on instructions from ASI Vinod Kumar has not disputed the aforesaid assertions made by counsel for the petitioner and further submits that the petitioner is not required by the

police for any further investigation or custodial interrogation and the petitioner got effected recovery of currency notes worth Rs.3000/-.

The genuineness and admissibility of disclosure statement, if any, made by co-accused against the petitioner will be decided during the trial. Apparently the present case is relating to recovery of 20 grams of Heroin which comes under non-commercial quantity and thus is not covered under rigorous of Section 37 NDPS Act. Further the petitioner is having no criminal history and further more the petitioner who has joined the investigation is not required by the police for any further investigation.

Thus, without commenting on the merits of the case, the present petition is hereby allowed and order of interim bail dated 10.01.2023 is hereby made absolute, subject to the conditions envisaged under Section 438 Cr.P.C. Further, the petitioner should appear before the trial Court on each and every date of hearing.

11.04.2023
yogesh

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No