

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

206

**CRM-M 3164 of 2023
Date of decision:11.05.2023**

Rajinder

*.....Petitioner**Versus*

State of Haryana

*.....Respondent***CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.**

Present: Ms. Divya Narula, Advocate for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J (ORAL)

The petitioner has filed the present petition praying for grant of anticipatory bail in case FIR No.01 dated 04.01.2023, under Sections 15(b)/61/85 of NDPS Act, 1985, registered at Police Station Rori, District Sirsa.

Learned counsel for the petitioner has submitted that petitioner has already joined the investigation. He further submits that nothing is to be recovered from him. The petitioner has co-operated with the investigation and he is also ready to co-operate with the investigation further.

Learned State counsel has opposed the petition on the ground that as per disclosure statement made by the co-accused, the petitioner had come in a car to supply the contraband. Petitioner is also involved in four cases earlier under the NDPS Act.

On asking, learned State counsel submitted that after 24.04.2023, the petitioner was not called to join the investigation further.

Learned counsel for the petitioner has further submitted that in the FIR it is written that the co-accused disclosed that he had purchased recovered contraband from the petitioner and at that time he did not say that the petitioner had come in the car. The disclosure statement recorded by the police is contradictory to the main FIR.

Heard.

Since the recovery is effected from the co-accused and keeping in view the fact that the petitioner has already joined the investigation and that the culpability of the petitioner would be established during the trial of the case, the order dated 31.01.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by all the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition stands disposed of accordingly.

11.05.2023

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(GURBIR SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No