

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3520-2022 (O&M)

Date of decision : 29.3.2023

Ram Bhaj

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Surinder Gandhi, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.0233 dated 20.4.2021 registered under Sections 20, 29 of NDPS Act at Police Station Sampla, District Rohtak.

As per allegations recorded in the FIR, the police apprehended two persons namely Santosh and Rohit Roy who were carrying two separate bags and on checking of the said two bags, 12 kg of *ganja* was recovered from each of the said two bags and on the disclosure made by them, the present petitioner was named as accused.

Counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case on the basis of the alleged disclosure statement, whose veracity will be tested during trial. He further submits that it is a debatable point as to whether 24 kg of *ganja* was jointly recovered from co-accused Santosh and Rohit, both of whom belong to two

different places and even otherwise are not related to each other and

recovery of *ganja* effected from them cannot be clubbed together to make it a case relating to recovery of commercial quantity of contraband. He further submits that the petitioner has joined the investigation with the police in compliance of order of interim bail passed by this Court.

Counsel for the petitioner further submits that no doubt, the petitioner is also involved in one another case of similar nature wherein he has been granted anticipatory bail.

State counsel on instructions from ASI Jay Kumar apprised the Court that the petitioner, who has joined the investigation with the police, is not required by the police for further investigation or custodial interrogation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 28.1.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

March 29, 2023
Paritosh Kumar

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