

**2023:PHHC:073932**

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

**CRM-M-21299-2022**

**Date of Decision: 22.05.2023**

**ANAND**

**... PETITIONER**

**VS.**

**STATE OF HARYANA**

**.. RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr. Sunil Saharan, Advocate  
for the petitioner.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana.

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**VIVEK PURI, J.(ORAL)**

1. The petitioner is seeking anticipatory bail in the case bearing FIR No. 92 dated 15.03.2022 under Section 21(b) of the NDPS Act registered at Police Station Agroha, District Hisar.
2. On 31.05.2022, the Coordinate Bench of this Court had passed the following order:-

“Status report has been filed by the Deputy Superintendent of Police, Barwala which is taken on record. Copy of the same has been supplied to learned counsel for the petitioner.

Learned Addl. A.G., Haryana has stated that the petitioner was nominated on the basis of disclosure statement of the co-accused who was found on the spot but there is evidence to show that the petitioner had made phone calls to the other co-accused who was caught on the spot and the motor cycle belongs to the petitioner.

On the other hand learned counsel for the petitioner stated that the petitioner is only the owner of the motor cycle which cannot fasten any liability on the petitioner and the fact that there were phone calls and from them nothing can be inferred against the petitioner because at the most the petitioner was known to the person who was caught on the spot. He submitted that the petitioner

is not involved in any other case and the alleged recovery from co-accused was only 41 grams of heroine which does not falls under the category of commercial quantity.

In view of the aforesaid position, the petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr. P.C.

Adjourned to 02.11.2022.”

3. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

4. Learned State counsel, on instructions from SI Ram Singh, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

5. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 31.05.2022, vide which the petitioner has been granted interim bail, is made absolute.

6. Petition is allowed.

**22.05.2023**  
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**(VIVEK PURI)**  
**JUDGE**

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|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether Reportable        | : Yes/No |