

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

2023:PHHC:107047

CRM-M-21279-2023

Date of decision: August 18th, 2023

Vishnu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kanwar Arun Singh, Advocate
for Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.174 dated 03.04.2023 under Sections 15, 27A, 61, 85 of the NDPS Act registered at Police Station Sadar Fatehabad.

Vide order dated 02.05.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that the recovery from coaccused/main accused namely Sonu @ Hi-fi was of 3 Kg poppy straw, which is an intermediate quantity. He submits that the petitioner was named by the said Sonu @ Hi-Fi in his second disclosure statement stating that he had purchased the poppy straw from the present petitioner. Learned counsel submits that no other case stands registered against the petitioner. He further submits that the petitioner is willing to join investigation and abide by any condition as imposed by this Court.”

Learned counsel for the petitioner submits that in compliance of order dated 02.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 02.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

August 18th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

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