

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 203

CRM-M No.22774 of 2023

Date of Decision: 17.11.2023

Kapil

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate,
for the petitioner.

Mr. PK Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

On 08.05.2023, the following order was passed:-

“Prayer in this petition filed under Section 438 Cr.P.C has been made for grant of anticipatory bail to the petitioner in case FIR No.385 dated 13.10.2022 registered under Section 20-B(ii)-C, 27 and 29 of NDPS Act, 1985, at Police Station Uklana, District Hisar.

As per the allegations, 18.9 kg of Sulpha was recovered from the possession of co-accused Vikram, who in his disclosure statement, nominated petitioner Kapil and two others to have supplied the contraband to him. It is also alleged that petitioner had given `2 lacs to co-accused Vikram to arrange the contraband. It is contended by learned counsel that he has no connection with the principal accused; that no recovery was effected from him; and it is yet to be known as to whether the alleged contraband is in fact narcotic substance or not. He is ready to join the investigation.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts

notice on behalf of the respondent- State.

Adjourned to 26.07.2023.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

On 26.07.2023, it was informed that though the petitioner has joined the investigation on 25.05.2023, but he did not get recovered the mobile phone by which he remained in touch, with co-accused.

Today, on instructions from ASI Hemraj, learned State counsel has informed this Court that the petitioner has since joined the investigation and also handed over his mobile phone and is no longer required for further investigation.

In view of the aforesaid, the order dated 08.05.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

17.11.2023

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(DEEPAK GUPTA)
JUDGE

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