

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

2023:PHHC:107076

CRM-M-25775-2023

Date of decision: August 18th, 2023

Sukhbir @ Sukhveer

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.S. Mamli, Advocate
for the petitioner.

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

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in FIR No.81 dated 15.04.2023 for the offences under Section 21(b) of NDPS Act registered at Police Station Nathu Sarai Chopta, Sirsa.

Vide order dated 22.05.2023, 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 inter alia contends that on suspicion, a recovery of 100 grams 15 milligrams of heroin (non-commercial quantity) was effected from one Surender Singh @ Tinku. During his interrogation, said Surender Singh suffered a disclosure statement wherein he nominated the petitioner by stating that the petitioner had accompanied him to Delhi to buy the recovered contraband from one Nigerian citizen.”

Learned counsel for the petitioner submits that in compliance of order dated 22.05.2023, 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 submits that there is no other case against the petitioner except the present one. He further 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 22.05.2023, 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