

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

201-2

CRM-M 26988 of 2022

Date of Decision: 01.06.2023

Satyapal

.....Petitioner

*Versus*

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.**

Present: Mr. A.S. Sandhu, Advocate for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

**GURBIR SINGH, J (ORAL)**

The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.118, dated 25.03.2022 under Section 18, 29 of NDPS Act, registered at Police Station Parao Ambala Cantt. District Ambala.

On 28.07.2022, the following order was passed:-

*'Status report by way of affidavit of Deputy Superintendent of Police, Ambala Cantt. has been filed by the learned State counsel and the same is taken on record.*

*Copy of this same has been supplied to the learned counsel for the petitioner.*

*As per the prosecution story, one person, namely, Neeraj was apprehended with 2 kgs. and 600 grams of Opium and on his disclosure statement one another co-accused, namely, Harpal Singh was nominated, from whom, he purchased the alleged contraband, and thereafter, on the further disclosure statement of Harpal Singh, the present petitioner was nominated and according to the prosecution, 1.6 kgs. of Opium was given by Harpal Singh to Neeraj and Harpal Singh got the same from the present petitioner. A perusal of the affidavit filed by the learned State counsel would show that apart from the disclosure statement there is nothing to connect the petitioner with the present offence. The allegations*

*against the petitioner were with regard to supply of 1 kg. & 600 grams of Opium to one Harpal Singh, who in turn supplied to the co-accused Neeraj and this quantity does not fall in the commercial quantity. As per the affidavit, there is nothing to show as to whether the petitioner is involved in any other case or not. The learned State counsel also at the time of argument has stated that the petitioner is not involved in any other case.*

*In view of the above, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.*

*Adjourned to 31.01.2023.'*

Learned State counsel, on instructions, states that in compliance of order dated 28.07.2022, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of the above, the order dated 28.07.2022 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by all the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

**01.06.2023**

*jyoti3*

**(GURBIR SINGH)  
JUDGE**

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