

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

**CRM-23073-2022 in/and
CRM-M-31130-2021**

YOGENDER

.....PETITIONER

VERSUS

STATE OF STATE OF HARYANA AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

Ms. Puneeta Sethi, Sr. Pancel Counsel
for Union of India.

SANDEEP MOUDGIL, J (ORAL)

CRM-23073-2022

Instant application under Section 482 Cr. P.C. for placing on record a copy of medical report of the petitioner at Annexure P-14 to Annexure P-17.

For the reasons recorded in the application and having been seen by non-applicant/respondent, the same is allowed.

Annexure P-14 to Annexure P-17 are taken on record, with just exceptions

Main Case

During the course of hearing today, learned counsel for the petitioner informs that Section 30 of NDPS Act has been added later on at the

time of framing of charge i.e. on 15.04.2023 i.e. much later to the filing of instant petition wherein at that time only offences under Sections 8 (c), Sections 21, 22, 27 (A), 28 and 29 of NDPS Act added there.

Since before the learned Trial Court, anticipatory bail under Section 30 of NDPS Act was not on record and had been given liberty to consider said protection as well while rejecting the bail application. Subsequently, petitioner appeared before this Court in the instant petition and was granted interim bail vide order dated 5.08.2021 which is thereafter still continuing. Petitioner has joined the investigation and complaint has been filed which is fixed for 03.06.2023 for prosecution evidence before the Special Court dealing with the NDPS cases.

In the eventuality of aforesaid facts and circumstances, learned counsel for the petitioner prays to withdraw the instant petition and to move a fresh application before the trial Court after pleading for anticipatory bail for Section 30 NDPS Act as well.

Since the protection granted to the petitioner is pending for the last two years, it would be appetite to grant fresh anticipatory bail for another one week and enable him to move before the trial Court below for necessary application seeking anticipatory bail after adding Section 30 of NDPS Act. His protection for one week is extended. In case, any such application is moved within the stipulated period one week from today i.e. to expire on 28.04.2023, interim protection granted for aforesaid observations shall automatically come to an end.

In case, any such application is moved, the trial Court shall consider the same in another one week, thereafter, without prejudice by no observations made before this Court.

Petition stands disposed in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

21.04.2023
Harish Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>