

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

208

CRM-M-28151-2023

Date of decision: 23.08.2023

Ambuj Tomar

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Jagdeep Singh Rana, Advocate for  
Dr. Deipa Singh, Advocate  
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.94 dated 06.05.2023 under Sections 15(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Farakpur, District Yamuna Nagar.

2. On 31.05.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

*“Learned counsel for the petitioner inter alia contends that the petitioner came to be nominated as an accused on a disclosure statement allegedly suffered by co-accused Toyab from whom a recovery of 1 kg 910 gms of poppy straw (non-commercial quantity) was effected. He submits that the petitioner has been falsely implicated in the case in hand which finds due credence from the fact that he is not involved in any other criminal case much less any case under the NDPS Act. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”*

3. Learned counsel for the petitioner submits that in compliance of order dated 31.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Nirmal, 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.

5. In view of the above, the petition is allowed and interim order dated 31.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

23.08.2023

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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