

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

209

**2023:PHHC:105299**

**CRM-M-30913-2023**

Date of decision: August 16<sup>th</sup>, 2023

Saroj

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. K.L. Saini, Advocate  
for the petitioner.

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

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

Prayer in the present petition filed under Section 438 Cr.P.C. is for the grant of anticipatory bail to the petitioner in FIR No.110 dated 02.06.2023, registered under Sections 21(b), 27-A of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short ‘the NDPS Act’), at Police Station Garhi, District Jind (Haryana).

Vide order dated 20.06.2023, 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 contends that the petitioner has been falsely implicated only on the basis of disclosure statements having been suffered by co-accused from whom a total of 50 grams of heroin was recovered. Learned counsel further contends that no other case stands registered against the petitioner under the NDPS Act.”*

Learned counsel for the petitioner submits that in compliance of order dated 20.06.2023, the petitioner has joined investigation and cooperated with the investigating agency.

On a pointed query put to the learned State counsel, he on instructions has not disputed that the petitioner is not involved in any other case under the NDPS Act and has also not disputed 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.

In view of the above, the petition is allowed and interim order dated 20.06.2023, 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 bail granted to him.

**August 16<sup>th</sup>, 2023**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No