

CRM-M 35466 of 2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CRM-M 35466 of 2022

Date of Decision: 01.06.2023

Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Dhruv Gupta, 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 (Section 29 of NDPS Act added later on), registered at Police Station Parao Ambala Cantt. District Ambala.

On 10.08.2022, the following order was passed:-

'Learned counsel for the petitioner has submitted that the name of the petitioner was nominated on the basis of the disclosure statement of the co-accused, namely, Neeraj, from whom, there was an alleged recovery of 2.6 kgs. of Opium. He further submitted that the name of the petitioner was nominated purely on the basis of disclosure statement of the co-accused which is not admissible in evidence and there is no material available with the police to connect the petitioner with the present offence apart from the disclosure statement. He also submitted that similarly situated co-accused, namely, Satyapal has been granted interim bail by this Court in CRM-M26988-2022 on 28.07.2022.

Notice of motion.

Mr. Ranvir Singh Arya, Addl. A.G., Haryana accepts notice on behalf of the respondent/State and prays for some time to seek instructions and file an affidavit in the present case.

Adjourned to 31.01.2023.

Meanwhile, 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'

To be heard along with CRM-M-26988-2022.'

Learned State counsel, on instructions, states that in compliance of order dated 10.08.2022, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of the above, the order dated 10.08.2022 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.

(GURBIR SINGH)
JUDGE

01.06.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No