

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-41153-2023  
Date of decision: 09.11.2023

RAVINDER SINGH ....Petitioner

Versus

STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Mohit Pilania, Advocate for  
Mr. Raman Chawla, Advocate for the petitioner.  
  
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the  
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

| FIR No. | Dated      | Section                                                                  | Police Station                  |
|---------|------------|--------------------------------------------------------------------------|---------------------------------|
| 689     | 28.06.2023 | 21(b) of Narcotic<br>Drugs and<br>Psychotropic<br>Susbstances Act, 1985. | Sadar Hisar, District<br>Hisar. |

2. It is submitted by learned counsel for the petitioner that in compliance with the order dated 09.10.2023, the petitioner has already joined investigation.
3. Learned State counsel, on instructions from ASI Ravinder, has intimated that the petitioner has joined investigation and is not required for further investigation in the matter.
4. During the course of hearing on 09.10.2023, following order was passed:

*By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -*

| <i>FIR No.</i> | <i>Dated</i> | <i>Police Station</i>        | <i>Sections</i>       |
|----------------|--------------|------------------------------|-----------------------|
| 689            | 28.06.2023   | Sadar Hisar, District Hisar. | 21(b) of the NDPS Act |

2. *Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case on the basis of alleged disclosure statement made by the co-accused, namely Aman, from whom recovery of 22 gm of heroin was effected in the aforesaid FIR.*
3. *It is further contended by learned counsel for the petitioner that earlier the petitioner was involved in case FIR No. 813 dated 13.09.2021 under Sections 21(b) of NDPS Act, registered at Police Station Sadar, Hisar, wherein he had moved an application under Section 91 of Cr.PC before the learned Additional Sessions Judge, Hisar, who allowed the same vide order dated 21.07.2022 (Annexure P-3) and due to this grudge, the petitioner has been nominated in the present FIR in question (Annexure P-1), although, he has no concern whatsoever with the alleged recovery.*
4. *Learned State counsel relying upon their reply submitted in the form of affidavit of Deputy Superintendent of Police, Law and Order, Hisar, on behalf of respondent, has submitted that the petitioner has been nominated on the basis of the disclosure statement given by the accused, namely Aman, and his interrogation is required in the case being a habitual offender and another FIR No. 813 dated 13.09.2021 have already been registered against the present petitioner.*
5. *After considering the rival contentions and perusing the record, it is deemed appropriate that the petitioner shall join investigation within seven days from today and in the event of*

*his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.*

6. *Adjourned to 09.11.2023. .”*

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 09.10.2023 passed by this Court, interim bail granted vide order dated 09.10.2023 is, hereby, confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)  
JUDGE

09.11.2023  
kanika

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|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |