

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

CRM-M-45670-2022
Date of Decision:-**30.01.2023**

MALKIT SINGH @ MALKIT RANA

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Gourave Bhayyia, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No.424 dated 24.8.2022 registered under Sections 21/29 of NDPS Act at Police Station Mahesh Nagar District Ambala.

The brief facts of the case are that police arrested co-accused Avtar Singh from whom 13.1 grams of heroin was recovered on 24.8.2022 and the name of the petitioner surfaced in the disclosure statement made by co-accused Avtar Singh to the effect that he procured the said contraband from the said petitioner.

On the last date of hearing detailed order was passed whereby the petitioner was granted interim bail with direction to join investigation with the police.

The counsel for the petitioner submits that the petitioner has joined investigation with the police and he is facing two other criminal cases, in which he is already enlarged on bail.

The State counsel on instructions from ASI Yash Raj apprised the Court that the petitioner who has joined investigation with the police, is not required for further investigation or custodial interrogation.

Heroin weighing 13.1 grams, which is stated to be recovered from co-accused Avtar Singh and thus present case is not covered under the embargo provided under Section 37 of NDPS Act.

In view of the above, without commenting on the merits of the case, the present petition is hereby allowed and order dated 30.9.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

30.01.2023
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No