

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48497-2022
Date of order: 02.03.2023

Manjeet Singh ...Petitioner(s)
Versus
State of Haryana ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
451	24.08.2022	Sadar Fatehabad, District Fatehabad	22-B, 27-A and 29 of NDPS Act

1. The petitioner apprehending arrest in the FIR captioned above, has come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. In paragraph 12 of the bail petition, the accused declares that he has no criminal antecedents.
3. Vide order dated 19.10.2022, the petitioner was granted interim protection, which is continuing till date.
4. The petitioner’s counsel argued that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
5. The State’s counsel opposes the bail.

REASONING:

6. Thus, there would be no justification to keep this bail pending waiting

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for the proper investigation. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the victim or victim's family or the witnesses or that he had hampered the investigation, or despite being called to join the investigation, he did not appear before the investigator.

Since, the quantity, prima facie, is not stated to be commercial, however, in case after FSL report the quantity is found to be commercial then the petitioner shall surrender within one week of receipt of report and obtain a regular bail by filing a fresh petition. The Concerned SHO shall communicate the out-come of FSL to the petitioner.

Petition allowed in aforesaid terms. Interim order dated 19.10.2022 is made absolute subject to strict compliance of all terms and conditions. All pending application(s), if any, stands disposed.

(ANOOP CHITKARA)
JUDGE

02.03.2023
pry

Whether speaking/reasoned	:	Yes
Whether reportable	:	No