

[205] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49824-2023
Date of Decision :19.12.2023

Bhairu Lal Banjara ...Petitioner

versus

State of HaryanaRespondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Ms. Himani Anand, Advocate for the petitioner.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

[1] On 03.10.2023, the following order was passed by this Court:-

“ Present: Ms. Himani Anand, Advocate for the petitioner.

Petitioner prays for grant of anticipatory bail in case FIR No.795, dated 28.08.2022, under Section 15 of the NDPS Act, 1985 (Section 29 of the NDPS Act added later on), registered at Police Station Shahabad, District Kurukshetra.

As per prosecution allegations, 2 Kg., 100 grams of poppy husk was recovered from the conscious possession of co-accused Gurpreet Singh @ Pola, who nominated Vinod Modiya to be the person from whom he had purchased the same. On arrest, said Vinod Modiya nominated the petitioner to be the supplier.

It is contended by learned counsel for the petitioner that neither the petitioner was arrested from the spot nor any recovery was effected from him. He is not involved in any other case. Co-accused Gurpreet Singh @ Pola as well as Vinod Modhia have already been allowed bail. Besides the recovered quantity of the contraband is noncommercial in nature.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 19.12.2023 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall 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. ”

[2] Today, on instructions from ASI Vinod Kumar, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 03.10.2023 and is no longer required for further investigation.

[3] In view of the aforesaid, the order dated 03.10.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

[4] Disposed of.

(DEEPAK GUPTA)
JUDGE

19.12.2023
'Rajneesh'

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