

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

CRM-M-1356-2024
Date of Decision : 26.02.2024

Rajesh Kumar alias Gaggu ...Petitioner
versus
State of HaryanaRespondent

Coram : **HON’BLE MR. JUSTICE DEEPAK GUPTA**
Present : Mr. D.S. Virk, Advocate for the petitioner.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

[1] Status report by way of affidavit dated 20.02.2024 of Shri Jagat Singh, HPS, Deputy Superintendent of Police, HQ, Sirsa, District Sirsa, on behalf of the respondent-State has been filed in Court today. The same is taken on record. Copy thereof has been supplied to learned counsel opposite.

[2] On 11.01.2024, the following order was passed by this Court:-

“ Present: Mr. D.S. Virk, Advocate for the petitioner.

By way of this petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.262 dated 17.10.2023, under Sections 21-B (Act No.61 of 1985) of the NDPS Act, registered at Police Station Ding, District Sirsa.

As per allegations, 06 grams 55 mg of heroin was recovered from the possession of co-accused Rahul and Balwinder Singh, who in their disclosure statements, nominated the petitioner to be the supplier.

Learned counsel for the petitioner contends that the petitioner has been falsely involved; that no recovery was ever effected from the petitioner. Learned counsel has drawn attention towards the

details as given in para No.12 of the petition regarding involvement of the petitioner in two more cases, out of which one pertains to NDPS Act. Learned counsel contends further that even in that case bearing FIR No. 74 of 2023, petitioner was involved on the basis of disclosure statement and no recovery had been effected from him. He has already been allowed bail in that case.

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 26.02.2024 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. ”

[3] Today, learned State Counsel, on instructions from ASI Atma Ram, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 11.01.2024 and is no longer required for further investigation.

[4] In view of the aforesaid, the order dated 11.01.2024, 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.

[5] Disposed of.

(DEEPAK GUPTA)
JUDGE

26.02.2024
'Rajneesh'