

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-2447-2024
Date of Decision.:25.01.2024

RavinderPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

Reply by way of an affidavit of Shri Gurdial Singh, HPS, Deputy Superintendent of Police, Kalanwali, District Sirsa has been filed on behalf of respondent- State. Copy supplied.

2. Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.333 dated 22.09.2023 registered under Section 15(c) of (Act No.61 of 1985) of NDPS Act, 1985 registered at Police Station Kalanwali, District Sirsa.

3. As per allegations 127 Kg of Doda Post was recovered from the possession of co-accused Vakil Singh @ Vakila on 22.09.2023 and during interrogation said Vakil Singh @ Vasika nominated the petitioner to be the supplier.

4. Learned counsel contends that petitioner has been falsely implicated simply on the basis of disclosure statement of co-accused, that petitioner is not involved in any such activity pertaining to NDPS Act; that no recovery was effected from his house and that he is ready to join

the investigation.

5. Learned State counsel, while opposing the petition submits that co-accused Vakil Singh @ Vasika had demarcated the house of the petitioner to contend that he was the supplier. However, learned State counsel concedes the fact that neither any recovery was effected from the petitioner nor any connecting evidence could be collected, except for the disclosure statement of the co-accused.

6. Although in the petition it is disclosed by the petitioner that he is involved in one more case pertaining to NDPS Act in which he was on bail, but as per the police report petitioner is not involved in any such case.

7. Be that as it may, having regard to the role attributed to the petitioner in this case and the nature of evidence collected against the petitioner, present petition is hereby allowed.

8. It is directed that in the event of arrest of the petitioner, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

January 25, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No