

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

2024:PHHC:052545
CRM-M-2932-2024
Date of decision: April 19th, 2024

Mehran

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashish Grewal, Advocate
for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.261 dated 28.08.2023 under Section 21-B of the NDPS Act, 1985, registered at Police Station Chhachhrauli, Yamuna Nagar.

2. Vide order dated 19.01.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel inter alia contends that the petitioner, who has clean antecedents, has been nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Gulzar, from whom a recovery of 10 grams of Smack was effected. It has been asserted that the disclosure statement allegedly suffered by the coaccused does not have much evidentiary value.”

3. Learned counsel for the petitioner submits that in compliance of order dated 19.01.2024, the petitioner has joined

investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 19.01.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

April 19th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No