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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-4923-2024****Date of Decision : 03.09.2024****Najar Singh****...Petitioner****Versus****State of Haryana****....Respondent****CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Ms. Harpreet Kaur, Advocate for Mr. Navkiran Singh, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail in FIR No.128 dated 08.04.2023 under Sections 15(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Pundri, District Kaithal.

2. On 31.01.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had issued notice of motion.

“Learned counsel for the petitioner submits that the name of the petitioner surfaced in the disclosure statement of one Dharampal from whom a recovery of 820 grams of poppy husk was effected. Learned counsel submits that such disclosure statement does not have much evidentiary value.

On a pointed query put to the learned counsel for the petitioner as to whether any proceedings under Section 82 of the Cr.P.C. had been initiated against the petitioner, he has replied in the negative.”



Thereafter, on 22.05.2024, while noticing the following further submissions of the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned State counsel, on instructions, in compliance of order dated 01.05.2024 has not disputed that accused Dharam Pal, from whom the alleged recovery of 820 grams of poppy husk was affected and pursuant to whose disclosure statement the petitioner came to be nominated as an accused, has since expired. She, on further instructions, has also informed the Court that the petitioner has not been declared as a proclaimed offender.”

3. Learned counsel for the petitioner submits that in compliance of order dated 22.05.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Harpal Singh, 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 22.05.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

September 03, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE