

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-5969-2024
Date of Decision:14.03.2024

SUNIL KUMAR DHAMAPetitioner

Vs.

STATE OF HARYANARespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.K. Tripathi, Advocate
for the petitioner.

Mr. Sumit Jain, Additional AG, Haryana
assisted by ASI Jamil Khan.

DEEPAK GUPTA, J.(ORAL)

On 05.02.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.374 dated 31.10.2023 registered under Sections 22(b)/61 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sarai Khwaja, Faridabad, District Faridabad.

As per prosecution allegations, 05 Buprenorphine Injections of 02 ml each i.e. total 10 ml were found from the dashboard of a car which was occupied by co-accused Manish Nain and Naveen. In the disclosure statement, they nominated Wasim and Rahul to be the supplier. Attribution to the petitioner is that he has been nominated by Wasim and Rahul to be the supplier.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that no recovery was effected from him; that co-accused Wasim and Rahul, have already been

allowed the benefit of regular bail by this Court vide order dated 18.01.2024 in CRM-M-62668 of 2023 (Annexure P.2).

Notice of motion.

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

Adjourned to 14.03.2024 for filing status report.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further 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. ”

Today learned State counsel, on instructions from ASI Jamil Khan submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 05.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

14.03.2024

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Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No