



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6941 of 2024
Date of decision: 10th May, 2024

Bintu
... Petitioner

Versus

State of Haryana
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Suresh Nain, Advocate for the petitioner.
Ms. Deepshikha Chauhan, AAG, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.319 dated 20.11.2023 for the offence under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27A of the Act added later on) registered at Police Station Bass, District Hansi.
2. On the last date of hearing, i.e. 09.02.2024, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel inter alia contends that the petitioner has been falsely implicated in the case in hand on the basis of a disclosure statement allegedly suffered by co-accused Ram Phal, from whom recovery of 105 grams of Charas (non commercial) was effected. Learned counsel



has asserted that the evidentiary value of the disclosure statement, on the basis of which he has been nominated as an accused, is of a weak nature. It has been further submitted that the petitioner has clean antecedents as he is not involved in any other criminal case much less under the NDPS Act.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 09.02.2024, 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. She, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 09.02.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 10, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No