



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-7698-2024
Date of decision: September 25th, 2024

Sameer
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Chahit Bansal, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy 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.10 dated 10.01.2024 under Sections 21B of the NDPS Act, registered at Police Station City Dabwali, District Sirsa.

2. While issuing notice of motion on 14.02.2024, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel inter alia contends that the petitioner came to be nominated as an accused on the basis of disclosure statement allegedly suffered by co-accused, from whom recovery of just 8 grams of Heroin was effected. He has submitted that as per the disclosure statement, the recovered contraband had been purchased by the coaccused from the petitioner just about 10-12 days prior thereto, however, it was a matter of record that the petitioner was in custody with effect from 31.12.2023 till 01.02.2024 in connection with another FIR No.781 dated 31.12.2023 and hence, it was highly improbable that the petitioner could have sold the said contraband to the co-accused, who were allegedly nabbed with Heroin.”



CRM-M-7698-2024

-2-

3. Thereafter, vide order dated 22.05.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation.
4. 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.
5. 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.
6. 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) BNNS.
7. 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 same.

September 25th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No