



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-8768-2024
Date of Decision : **30.08.2024**

JASPAL KAURPetitioner

VERSUS

STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Nitin Goswami, Advocate for
Mr. Lupil Gupta, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, prayer is made for grant of anticipatory bail to the present petition, in case FIR no.684, dated 16.11.2023, under Sections 21(b), 61 and 85 of the NDPS Act, 1985 (Annexure P-1).
2. A co-ordinate bench of this Court, vide order dated 28.02.2024, granted the relief of interim bail to the present petitioner with the direction to join the investigation with the investigating officer concerned.
3. In compliance to the order dated 10.07.2024, the State had filed a status report, dated 31.07.2024, and a perusal paragraph no.9 thereof, it reflects that the petitioner is involved in one more criminal case of a similar nature.

4. Considering the fact that the petitioner is a second time offender, this Court is not inclined to grant the relief of pre-arrest bail to the present petitioner. However, considering the fact that the recovery effected in the instant from the co-accused of the petitioner, is only of 5.65 grams heroin which is marginally above the small quantity, therefore, the present petitioner is directed to surrender before the learned trial court concerned, within 15 days from today.

6. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and moves a regular bail application, the latter shall make all its endeavours to decide the same within two days thereof, in accordance with law, after giving adequate opportunity of hearing to the parties concerned.

7. In the meanwhile, the arrest of the petitioner shall remain stayed.

8. However, in case, the petitioner fails to appear before the learned trial Court concerned within 15 days from today, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without further reference to this Court.

9. **Disposed of** accordingly.

August 30, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No