

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-9939-2024

Date of Decision:10.04.2024

BINTU

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Suresh Nain, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana

DEEPAK GUPTA, J.(ORAL)

On 26.02.2024, 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.320 dated 20.11.2023 registered under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Act No.61) (for short, ‘the NDPS Act’) and Section 27A of the NDPS Act (added later on) at Police Station Bass, District Hansi, Haryana.

Allegations are that on the basis of secret information, Sonu and Pooja were apprehended while travelling on a scooty bearing No.HR-12AJ4447 and 3.900 kg of ganja was recovered from them. It is alleged that in their disclosure statements, they nominated Rani and Ramphal to be the suppliers. It is alleged that further supplementary statement was made by Sonu and Pooja nominating the petitioner to be the supplier.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated on the basis of supplementary disclosure statement recorded by the co-accused. Learned counsel also contends that the petitioner had earlier applied for anticipatory bail before the Court of Sessions and at that time, stand was taken by the respondent- State that there was no incriminating evidence against

the petitioner.

Notice of motion.

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

Adjourned to 10.04.2024 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 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 26.02.2024 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.

10.04.2024

pry

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No