



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-13897-2024

Date of decision: 23.07.2024

Arjun Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.10 dated 07.01.2024 under Sections 15(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Civil Line Sirsa, District Sirsa.

2. On 18.03.2024, while noticing the following submissions made by the 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 for the petitioner inter alia contends that a recovery of 80 kgs of poppy husk was allegedly effected from the possession of three persons pursuant to a secret information received by the police; on being nabbed with the aforementioned contraband the arrested accused suffered a disclosure statement wherein they nominated the petitioner as being the supplier of the contraband. Learned counsel submits that the evidentiary value of such disclosure statement is of a weak nature; the



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petitioner has clean antecedents as he is not involved in any other case under the NDPS Act which further lends credence to his innocence and false implication in the case in hand.”

3. Thereafter, vide order dated 08.07.2024, the petitioner was again directed to appear before the investigating agency on 12.07.2024 and thereafter as and when called upon to do so.

4. Learned counsel for the petitioner submits that in compliance of order dated 08.07.2024, he had appeared before the investigating agency on 12.07.2024 and 16.07.2024.

5. Learned State counsel, on instructions from ASI Rajesh Kumar, does not dispute the factum of the petitioner having joined investigation. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other case under the NDPS Act, he, on instructions has replied in the negative. It has also not been disputed that the name of the petitioner surfaced in the disclosure statement suffered by the co-accused from whom a recovery of 80 kgs of *doda post* has been effected.

6. In view of the above, the petition is allowed and interim order dated 18.03.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

23.07.2024

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(MANJARI NEHRU KAUL)

JUDGE

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