

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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205

CRM-M-14406-2024

Date of Decision:02.05.2024

DARSHAN SINGH

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Parminder Singh, Advocate  
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana  
assisted by ASI Naresh Kumar.

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**DEEPAK GUPTA, J.(ORAL)**

On 20.03.2024, 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.156 dated 07.03.2024 registered under Sections 18 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, ‘the NDPS Act’) at Police Station Shahabad, District Kurukshetra, Ambala.*

*As per allegations, on the basis of secret information, co-accused Rohit was apprehended by the Police Party on 07.03.2024 and from his possession 70 grams of Opium was recovered, kept in a transparent polythene in the right pockets of the jeans. During interrogation, said Rohit suffered disclosure statement to the effect that he had purchased 100 grams of Opium from the petitioner for an amount of ₹20,000/-.*

*It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated simply on the basis of disclosure statement of the coaccused; and that the petitioner is not involved in any other case.*

*Learned counsel for the petitioner also contends that the petitioner was earlier involved in another case under the NDPS Act but he has since been acquitted in that case.*

*Notice of motion.*

*Mr. Sumit Jain, Addl. AG, Haryana, accepts notice on behalf of the respondent- State.*

*Learned State Counsel concedes the fact that except for the disclosure statement of the co-accused, there is no other incriminating material collected so far against the petitioner. It is also conceded that the petitioner is presently not involved in any other case.*

*Adjourned to 02.05.2024 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 from ASI Naresh Kumar 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 20.03.2024 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.

Disposed of.

02.05.2024

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( DEEPAK GUPTA )  
JUDGE

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