

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-16265-2024
Date of Decision:13.05.2024

SACHIN

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Sumit Jain, Additional AG, Haryana
assisted by SI Ranjit Singh.

DEEPAK GUPTA, J.(ORAL)

On 04.04.2024, 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.80 dated 07.03.2024 registered under Section 15(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, `the NDPS Act) (during investigation Section 29 of the NDPS Act was added) at Police Station City Fatehabad, District Fatehabad.

As per prosecution allegations, co-accused Buta Singh was apprehended with 9 kg 700 grams of the doda post (poppy husk) on 07.03.2024. During interrogation, said Buta Singh suffered disclosure statement as per which it is the petitioner who had supplied the contraband to him.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that he is not involved in any such activity and that the contraband as recovered from the co-accused falls in the non-commercial category.

Learned counsel also submits that the petitioner is ready to join the investigation.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts

notice on behalf of the respondent- State.

Learned State Counsel, on instructions from ASI Kapil, submits that there have been call details between the petitioner and co-accused.

Adjourned to 13.05.2024 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 SI Ranjit Singh 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 04.04.2024 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.

13.05.2024

pry

(DEEPAK GUPTA)
JUDGE

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