



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17557-2024
Date of decision: 11.07.2024

Sachin KumarPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kundan Kumar, Advocate;
Mr. Nitin Bansal, Advocate and,
Mr. Prashant Chakravarty, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C,
the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
858	06.12.2023	20(b)/29 of the NDPS Act	Gurgaon Sadar, District Gurugram

2. Learned counsel for the petitioners submits that in
compliance to the order dated 23.05.2024, the petitioner has joined the
investigation.



3. During the course of hearing on 23.05.2024, following order has been passed: -

'It is inter alia contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case on the basis of alleged disclosure statement made by co-accused Raj Saini. The petitioner has no concern with the alleged transaction nor is such statement admissible in the eyes of law. He contends that although the petitioner is facing another case under NDPS Act, but he is on bail in that case and is ready to join the investigation.

4. Per contra, learned State counsel, by referring to the reply submitted by the police, submits that the petitioner has been nominated on the basis of disclosure statement made by accused Raj Saini who was apprehended by the police carrying 11.5 grams smack.

5. List on 11.07.2024.

6. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.'

4. Learned State counsel, on instructions from ASI Muni Lal, informs the Court that the petitioner has joined the investigation and is



neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 23.05.2024 passed by this Court, interim bail granted vide order dated 23.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

11.07.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |