



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19436-2024 (O&M)
Date of decision : 28.05.2024

Surender Pal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.S.S.Dhillon, Advocate
for the petitioner.
Mr.Praveen Bhadu, AAG, Haryana

MAHABIR SINGH SINDHU, J.

First petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') has been filed for grant of anticipatory bail to the petitioner in FIR No.62 dated 05.04.2024 under Sections 21(B)/ 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Odhan, District Dabwali (P-1).

(2) Status report by way of affidavit dated 27.05.2024 of Sh.Jai Bhagwan HPS, Deputy Superintendent of Police, Dabwali, District Sirsa on behalf of the respondent-State filed in the Court today is taken on record. Registry to do the needful.



(3) Allegations are that the petitioner was named on the basis of disclosure of co-accused Rajender Singh from whom alleged contraband i.e. 6.5 gram heroin was recovered.

(4) Contends that this Court granted interim bail to the petitioner on 22.04.2024 and in terms thereof, he has already joined investigation and his custodial interrogation is not required.

(5) Above factual position is duly acknowledged by learned counsel for the respondent, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

(6) Heard learned counsel for the parties and perused the paper-book.

(7) This Court on 22.04.2024 while issuing notice of motion passed the following order:-

“Contends, that petitioner has been nominated on the basis of disclosure made by co-accused namely Rajender Singh from whom alleged contraband i.e. 6.5 gram heroin was recovered. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 28.05.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”



- (8) It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined investigation and his custodial interrogation is not required at this stage.
- (9) In view of above, interim order dated 22.04.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (10) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (11) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (12) It is made clear that in case of any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.
- (13) Disposed off accordingly.
- (14) Pending application(s), if any, shall also stand disposed off.

28th May, 2024
Sd/-

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No