



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-21223-2024

Date of decision: 05.08.2024

Sandeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioner.

Ms. Trishanjali Sharma, DAG, 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.045 dated 13.03.2024 under Sections 18(C)/29 of the NDPS Act, 1985, registered at Police Station Siwan, District Kaithal.

2. On 30.04.2024, 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 148 grams (intermediate quantity) of opium was allegedly affected from the wife of the petitioner from inside their house; the petitioner was not even present at the relevant time in his house. He has further submitted that petitioner has clean antecedents as it is a matter of record that he is not involved in any other criminal case much less under the NDPS Act.”

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3. Learned State counsel, on instructions, submits that there has been compliance of order dated 30.04.2024 vide which the petitioner was asked to join investigation. Learned State counsel, however, submits that the petitioner has not fully cooperated with the investigating agency.

4. On a pointed query, put to the learned State counsel as to whether the petitioner has any criminal antecedents, she, on instructions has categorically replied in the negative.

5. In view of the above, the petition is allowed and interim order dated 30.04.2024, 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.

05.08.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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