

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-21462-2024
Date of decision: 15.07.2024

LAKHA RAM....PETITIONER

Versus

STATE OF HARYANA...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Deepak Kumar, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Section	Police Station
141	14.04.2024	15 of NDPS Act (Section 27-A of NDPS Act added later on)	City Fatehabad, District Fatehabad

2.

Learned counsel for the petitioner submits that in compliance to the order dated 01.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 01.05.2024.
3.

Learned State counsel, on instructions from PSI Naresh intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



4. During the course of hearing on 01.05.2024, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0141 dated 14.04.2024 registered under Section 15 of NDPS Act, 1985 (Section 27-A of NDPS Act, 1985 added later on) registered at Police Station City Fatehabad, District Fatehabad.

As per allegations, during patrolling a police party apprehended co-accused Sunil Kumar and Lakhu Ram and recovered 1 kg 38 gms of chura-post from them lying in between them on a motorcycle. During interrogation, these co-accused suffered disclosure statement nominating the petitioner to be the supplier.

Learned counsel for the petitioner contends that petitioner has been falsely implicated on the basis of disclosure statement of co-accused, which is not admissible; that recovered contraband from the co-accused falls in noncommercial category; that petitioner is not involved in any other case; that petitioner is ready to join the investigation.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent- State. A copy of paper book be supplied to him during the course of day.

Adjourned to 15.07.2024 for filing status report.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is 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 . ”

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 01.05.2024 passed by this Court, interim bail granted vide order dated 01.05.2024 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.

(SANJIV BERRY)
JUDGE

15.07.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |