

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-23665-2024 (O&M)
Date of Decision:- 19.07.2024

DHARMENDER

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Karan Singh, Advocate
for the petitioner (appearing through VC).

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	Sections	Police Station
182	26.04.2024	22 of the NDPS Act	City Jind, District Jind

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 23.05.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel has intimated that the petitioner has joined investigation and is no more required for any custodial investigation



in this case nor he is required for further investigation.

4. Heard.

5. During the course of hearing on 23.05.2024, the following order was passed:-

“3. It is, inter alia, contended that the petitioner is having no concern whatsoever with the alleged transaction and has been nominated in the alleged disclosure statement of co-accused Deepak Rai @ Deepu from whom the recovery of contraband had been effected in the instant case. He contends that the petitioner is having no criminal antecedents and has never indulged in sale of narcotics as has been alleged. He further submits that the petitioner is ready to join investigation.

4. Per contra, learned State counsel while referring to the status report submitted by the State and on instructions from SI Ram Mehar Singh, Investigating Officer of the case, submits that although the petitioner has not been named in the FIR but has been nominated on the basis of disclosure statement of co-accused Deepak Rai @ Deepu made on 27.04.2024. As regards the contention of learned counsel for the petitioner that the Police had visited the house of the petitioner on 28.04.2024 is concerned, learned State counsel submits that in fact the police, after taking the local police, had raided the house of the petitioner but he was not found there and his wife refused entry in the house and the police had never taken any mobile phone.

5. List on 12.07.2024.

6. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall 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.”

6. 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

19.07.2024
S.Sharma(syr)

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