

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-25320-2023 (O&M)
Date of decision: 26.02.2024

PARVESH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Choudhary, Advocate for the petitioner(s).

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
29	30.01.2023	15(b) of the NDPS Act	Uklana, District Hisar

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 18.05.2023 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, on instructions from SI Dinesh 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 18.05.2023, the following order was passed:-

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“Learned counsel for the petitioner inter alia submits that in the present case the petitioner was never apprehended at the spot and has been implicated merely for the reasons that he is the owner of the vehicle in question, besides it he also points out that there is no other case of NDPS pending against the petitioner and alleged recovery in the present case is of non-commercial quantity.

Notice of motion for 13.09.2023.

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

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 18.05.2023 passed by this Court, interim bail granted vide order dated 18.05.2023 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

26.02.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No