



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-29763-2024
DECIDED ON: 13.06.2024**

JANARDHAN @ SONU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Surinder Singh Duhan, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.71, dated 13.04.2024 (Annexure P-1), under Sections 21(b) of NDPS Act, 1985, registered at Police Station Pillu Khera, District Jind.

Learned counsel for the petitioner contends that the petitioner has been nominated in the instant FIR only on the basis of disclosure statement of his wife Monika who has been falsely implicated in the present FIR after having taken away by the police at around 11:00 a.m. on 13.04.2024. He further contends that the only recovery whatsoever alleged to have been recovered is of 92 grams of heroin that too is planted upon his wife Monika who has been forced to made the disclosure statement qua the petitioner and since then police is after the petitioner to arrest him. It is further contended that wife of the petitioner is an elected panch of Gram

Panchayat

Bhuran, Pillu Khera Mandi, Ward No.12 and is democratically elected to be served on the aforesaid post who has never indulged in any activity and out of political rivalry now even the petitioner has not been spared.

Notice of motion.

On the asking of the Court, Surender Singh Pannu, Addl. A.G., Haryana accepts notice on behalf of the respondent-State and submits that the petitioner is a habitual offender who is involved in nine other FIRs out of which two are under the NDPS Act and on that account, seeks dismissal of the instant petition though could not controvert the quantity of the contraband to be non-commercial in nature.

Be that as it may, having regard to the submissions made by respective parties added with the fact that in another NDPS case i.e. FIR No.148, dated 22.06.2023, Police Station Pillu Khera, District Jind, the petitioner is on regular bail granted by this Court vide order dated 04.01.2024 passed in CRM-M-64077-2023. In the instant case as well, it is on the basis of disclosure statement, the petitioner has been dragged into and arrest is sought though without having any incriminating material which would necessitate his custody.

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

13.06.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>