



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

208

CRM-M-29778 of 2024

Date of decision: 29th August, 2024

Balvinder Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Kulbhushan Raheja, Advocate for petitioner.

Mr. Amit Rana, Sr. DAG Punjab.

MANJARI NEHRU KAUL, J (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No. 230 dated 11.5.2024 under Sections 21(b), 61, 85 of NDPS Act, 1985, registered at Police Station City Hisar, District Hisar.

Vide order dated 13.06.2024 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“ Learned counsel for the petitioner contends that the petitioner has been falsely implicated on the disclosure statement of the main accused i.e. Sonu and the alleged contraband has already been recovered from his possession. Learned counsel further contends that the recovered contraband is a non-commercial quantity i.e. 5.69 grams of heroin. He also submits that his custodial interrogation is not required as nothing is to be recovered from the petitioner and he is ready to join investigation.”

Learned counsel for the petitioner submits that in compliance of order dated 13.06.2024, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 13.06.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

29th August, 2024
reema

(MANJARI NEHRU KAUL)
JUDGE

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