



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34964-2024
Date of decision: 04.09.2024

RANA ...PETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. A.S. Shera, Advocate and
Mr. Manju Singh Phogat, Advocate for the petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of Cr.P.C.,
1973, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
77	02.06.2024	18 of NDPS Act	Ismailabad, District Kurukshetra

2. Learned counsel for the petitioner submits that in compliance to the order dated 21.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 21.08.2024.
3. Learned State counsel, on instructions received from SI Mohinder Singh, 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 21.08.2024 , following order was passed:



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“It is inter alia contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case on the basis of alleged disclosure statement of co-accused Prince from whom recovery of contraband i.e. 105 grams of opium, non commercial quantity had been effected.

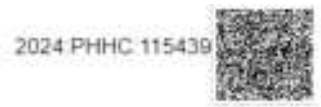
2. He further contends that the petitioner is facing one more criminal case under NDPS Act but in that case too no recovery was effected from him after being nominated on the basis of alleged disclosure statement and the petitioner is on bail in that case.

3. This factual aspect is not disputed by learned State counsel.

4. After hearing the respective submissions and without commenting on the merits, the petitioner is directed to join the investigation within seven days from today and in the event of his arrest, he is ordered to 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.

5. List on 04.09.2024.”

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 21.08.2024 passed by this Court, interim bail granted vide order dated 21.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the



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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

04.09.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |