



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-36340-2024 (O&M)
Date of Decision:- 26.11.2024

Krishan Kumar Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Prabhjot Kaur Virk, Advocate, for the petitioner.
Mr. Munish Sharma, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
112	16.06.2024	Garhi, District Jind	21(B) of NDPS Act

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
- At the time of issuance of interim bail the following order was passed on 31.07.2024:



“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.112, dated 16.6.2024 at Police Station Garhi, District Jind, Haryana, under Section 21(B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

As per the case of prosecution, Rakesh Kumar @ Keshu and Rekha were apprehended by the police pursuant to receipt of secret information and from whose possession, 12 grams of ‘heroin’ was recovered. It is further the case of prosecution that during the course of interrogation, the aforesaid Rakesh Kumar @ Keshu and Rekha disclosed that they purchased the said contraband from petitioner Krishan Kumar.

Learned counsel for the petitioner submits that the petitioner is nowhere name in the FIR and came to be nominated on the basis of a disclosure statement of co-accused, which would hardly carry any evidentiary value in the absence of any other connecting evidence. It has further been submitted that no recovery whatsoever was ever effected from the petitioner.

Notice of motion for 26.11.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has informed that pursuant to the interim directions, the petitioner has joined investigation.
4. In view of the aforestated position wherein the petitioner has joined investigation and is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued



by this Court vide order dated 31.07.2024 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

26.11.2024
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No