

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-39807-2023

Date of Decision:08.01.2024

SAMEER ALIAS ABDUL SAMEER

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. P.K. Aggarwal, DAG, Haryana

DEEPAK GUPTA, J.(ORAL)

On 16.08.2023, following order was passed:

“By way of the present petition filed under Section 438 Cr.P.C, prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.390 dated 19.07.2023 registered under Section 22-C, 29 of NDPS Act, 1985 at Police Station Industrial, Sector 29, Panipat, District Panipat (Haryana).

As per the prosecution allegations, 25 injections of Bhupernorphine, 2 ml each, mark Leegestic were recovered from the possession of co-accused Amit alias Mita alias Mitti, who in his disclosure statement nominated the petitioner to be the supplier of the contraband.

Learned counsel for the petitioner submits that the petitioner has no concern with the case; that no recovery has been effected from him; and that he has clean antecedents and is not involved in any other case.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of the respondent- State.

Adjourned to 06.11.2023 for filing status report by the respondent- State.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 16.08.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

08.01.2024

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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No