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

CRM-M-38243-2024

Date of Decision:- 25.11.2024

RAM KUMAR

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vishal Sharda, Advocate for petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.342 dated 08.07.2024 under Sections 21 (b)/61/85 of NDPS Act, 1985 registered at Police Station Dabwali Sadar, District Dabwali.

2. Learned counsel for petitioner argued that he was granted interim bail vide order dated 07.08.2024 which runs as under:-

“Ram Kumar has filed anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR no.342 dated 08.07.2024, under Sections 21(b)/61/85 of NDPS Act, 1985 registered at Police Station Dabwali Sadar, District Dabwali.

Learned counsel for petitioner argued that petitioner has been falsely implicated in this case. Petitioner was named in the FIR by co-accused Kuldeep Singh @ Sifti in his disclosure statement from whose possession 5.50 grams of heroin was recovered. Kuldeep Singh @ Sifti has already been granted regular bail by learned trial Court vide order dated 29.07.2024. Copy of order is placed on record. He is ready to join the investigation.

Notice of motion.

On asking of this Court, Mr. Rupinder Singh Jhand, Addl. A.G.,

Haryana accepts notice on behalf of State.

Considering the aforesaid factual position, let status report be called for.

Adjourned to 25.09.2024.

In the meantime, in case petitioner is arrested, he be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave the country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. He further argued that in compliance to the aforesaid order, he has already joined the investigation and fully cooperated. No recovery is to be effected from him. He was nominated on the statement of co-accused Kuldeep Singh @ Sifti, from whose possession 5.50 grams of heroin was recovered. Therefore, interim bail granted in his favour may be confirmed.

4. Status report is filed in which it is confirmed that petitioner has joined investigation on 07.08.2024. Learned State counsel, on instructions from ASI Dalbir Singh No.83/DWL, Police Station Sadar Dabwali, submits that petitioner is not required for further investigation.

5. Since petitioner has already joined the investigation, therefore, he is not required for any other purpose. Recovery has already been effected from co-accused. He is still ready to abide by the terms and conditions of bail order, therefore, interim bail granted in favour of the petitioner vide order dated 07.08.2024 stands confirmed subject to the conditions detailed under Section 482 (2) of BNSS.

6. Petition is disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

25.11.2024
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