



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-40557-2024

Date of decision: 28.11.2024

Dalip Kumar @ Dileep Kumar Gond

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Balwinder Sangwan, Advocate, for
Mr. S. S. Brar, Advocate, for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C., in case FIR No.362 dated 26.04.2023 under Section 20 of the NDPS Act, 1985, registered at Police Station Sector 58, Faridabad.
2. On the last date of hearing, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner, inter alia, contends that following a tip off, the police intercepted co-accused Pappu and allegedly recovered 13 kilograms of ganja. It has been submitted that the petitioner’s false implication in the present case is evident from the fact that in the secret information allegedly received by the police, there was no whisper qua the involvement of the petitioner in drug trafficking; the petitioner came to be nominated as an accused pursuant to a disclosure statement allegedly suffered by co-accused Pappu, who stated

that the recovered contraband had been supplied to him by the petitioner. It has been submitted that the evidentiary value of the disclosure statement is of a weak nature and needs to be appreciated in the light of the petitioner not being involved in any other criminal case much less under the NDPS Act. .”

3. Learned counsel for the petitioner submits that in compliance of order dated 22.08.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. 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.

5. In view of the above, the present petition is allowed and interim order dated 22.08.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/ 438(2) Cr.P.C..

28.11.2024.
anil

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No