

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

205

2024:PHHC:059726
CRM-M-46264-2023
Date of decision: May 1st, 2024

Bhupesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail in FIR No.168 dated 05.03.2023 under Sections 21-C, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985; Sections 18(c), 27(b)(ii), 18(a)(i), 27(c) read with Section 17, 17-A, 17-B, 18-A/28 of The Drugs and Cosmetics Act, 1940 and Sections 467, 468, 471, 420, 201 of the IPC registered at Police Station Camp Palwal, District Palwal.

2. While issuing notice of motion on 17.10.2023, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel inter alia contends that the petitioner was neither named in the FIR in question nor was he even remotely linked with the co-accused, who was allegedly running a factory wherein some spurious drugs were being prepared. He submits that the petitioner is being linked with the co-accused on the basis of some telephonic conversations which pertain to the months of October and November, 2022. It has also been submitted that the name of the petitioner surfaced in the disclosure statement allegedly made by the co-

accused, who were apprehended from the spot along with spurious drugs, which were being allegedly manufactured by them.”

3. Thereafter, vide orders dated 11.12.2023 and 05.03.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation.

4. Learned counsel for the petitioner submits that in compliance of order dated 05.03.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from S.I. Jasbir Singh, 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.

6. In view of the above, the petition is allowed and interim order dated 11.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

May 1st, 2024

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No