

2024:PHHC:169331



209.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45574-2024
Date of decision: 17.12.2024

RajpalPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Atul Ravish, Advocate for the petitioner.

Mr. Rahul Mohan, Senior DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of Cr.P.C. in case FIR No.252, dated 19.06.2024, under Section 15(b) of NDPS Act, 1985, registered at Police Station Kaithal City, District Kaithal.

On 13.09.2024, 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 the petitioner has no criminal antecedents and has been arraigned as an accused in the present case only on the basis of a disclosure statement allegedly suffered by co-accused Gurjit Singh from whom a recovery of 6.71 kilograms of poppy husk was allegedly affected. It has been argued that the evidentiary value of the disclosure statement on the basis of which he has been implicated in the present case is of a weak nature.”

Learned counsel for the petitioner submits that in compliance of order dated 13.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Suresh, 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.

In view of the above, the petition is allowed and interim order dated 13.09.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

December 17, 2024
sanjeev

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