

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53638-2023
DATE OF DECISION: 15.01.2024

MONU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA.

Present: Mr. Sushil Sheoran, Advocate
for the petitioner.

Mr. P.K. Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J (ORAL)

On 20.10.2023, the following order was passed by this Court:-

*“Present: Mr. Sushil Sheoran, Advocate for the
petitioner.
Mr. Chetan Sharma, DAG, Haryana.

- 1. This petition is filed for grant of anticipatory bail in FIR No.557, dated 31.07.2023, under Section 21 (Section 29 added lateron) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short hereinafter referred as 'NDPS Act') registered at Police Station Rohtak City, District Rohtak.*
- 2. As per the case set up, on 31.07.2023 police party acting upon a secret information apprehended co-accused Karan and recovered 20 grams of Heroin from him. The petitioner was named by the co-accused during investigation as the seller of the recovered contraband.*
- 3. Learned counsel appearing for the petitioner submits that it is a case of false implication, petitioner was named in the disclosure statement which has no evidentiary value, he is not involved in any other case under the NDPS Act and recovery from the co-accused was of non-commercial quantity.*

4. *Learned counsel for the State on instructions opposes the prayer for grant of anticipatory bail.*
5. *Without commenting on the merits of the case, considering that the name of the petitioner surfaced in the disclosure statement, he has clean antecedents, the recovery from the co-accused is of non-commercial quantity, the petitioner is granted interim bail subject to his joining investigation within a week. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*
6. *List on 17th November, 2023.”*

As per the status report earlier filed by respondent-State, petitioner has already joined investigation.

Today, on instructions, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 20.10.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 20.10.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

15.01.2024
Jatin

(DEEPAK GUPTA)
JUDGE

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