

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

208

CRM-M-55628-2024

Date of Decision : **December 05, 2024**

Viro @ Biro

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Deepak Dahiya, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. On 8.11.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.583 dated 18.09.2024, under Sections 20/29 of the N.D.P.S. Act, 1985, registered at P.S. Industrial Sector 29, Panipat.

2. The learned counsel for the petitioner submits that, the only piece of evidence, which constitutes the bedrock for the investigating agency to arrest the petitioner, is the disclosure statement of her coaccused Salender, from whom 01 kg 504 grams of Ganja was recovered. Except the disclosure statement, there is no other cogent evidence on record to connect the petitioner with the alleged crime. Moreover, the allegedly recovered contraband falls within “non commercial quantity”.

3. Lastly, the learned counsel for the petitioner submits that, the petitioner is not involved in any other similar offence.

4. Notice of motion for 05.12.2024.

5. Mr. Rajesh Gaur, Addl. A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of her arrest, she shall be admitted to interim bail on her furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 8.11.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

December 05, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No