

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

2024:PHHC:028711

CRM-M-61518-2023

Date of decision: February 29th, 2024

Jaspal Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shailender Singh Momi, Advocate
for the petitioners.

Ms. Trishanjali Sharma, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.420 dated 20.11.2023 under Section 18 of the NDPS Act registered at Police Station Pehowa, District Kurukshetra.

2. Vide order dated 07.12.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the case in hand and that too on the basis of a disclosure statement allegedly suffered by co-accused Rana from whom recovery of 15 grams of opium was effected. It has been submitted that the evidentiary value of the disclosure statement allegedly suffered by co-accused Rana is of a weak nature and it also lends credence to the petitioner’s false implication as he has no criminal antecedents much less being involved in any case under the NDPS Act.”

3. Learned counsel for the petitioner submits that in compliance of order dated 07.12.2023, 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. She, however, submits that the petitioner had previously been involved in two other criminal case, which has again been controverted by the learned counsel for the petitioner, who has submitted that in both the cases, he stands acquitted and the said fact has also been categorically mentioned in the petition.

5. In view of the above, the petition is allowed and interim order dated 07.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 29th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No