

2024:PHHC:036050

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-63436-2023
Date of Decision : March 13, 2024

SHOKEEN ALIAS KALA
.....Petitioner

VERSUS

STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Davneet Sangwan, Advocate
for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e. 16.12.2023, the following
order was passed:-

*“Instant petition has been filed under Section 438,
Cr.P.C., for grant of anticipatory bail in:-*

<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Section(s)</i>
138	20.07.2023	Jathlana, District Yamuna Nagar.	21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

*Counsel for the petitioner submits that FIR,
Annexure P-1, has been registered on the basis of secret
information and recovery of 12 gram heroin has been
effected from co-accused, Sukhwinder Singh, and
another 10.12 gram heroin from co-accused, Paramjeet
Kaur. Counsel submits that petitioner, who has clean
antecedents, has been arraigned as an accused on the
basis of disclosure statement. He submits that the*

recovery effected from the co-accused falls within the ambit of non-commercial quantity and the petitioner is prepared to co-operate with the investigation.

Notice of motion.

On asking of the Court, Mr. Munish Sharma, DAG, Haryana, accepts notice on behalf of the respondent-State.

List on 13.03.2024.

Petitioner is directed to appear before the Investigating Officer on 28.12.2023 at 10.00 A.M. at Police Station Jathlana, District Yamuna Nagar, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

2. Today, the learned State counsel on instructions imparted to him by the official concerned, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 16.12.2023 is, hereby, made absolute.

(KULDEEP TIWARI)
JUDGE

March 13, 2024
ajay-1

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