

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.64401 of 2023
Date of decision: 15th February, 2024

Vinod Kumar
... Petitioner
Versus
State of Haryana
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajender Kumar, Advocate for the petitioner.
Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.854 dated 27.10.2023, under Sections 21 of NDPS Act, registered at Police Station Indri, District Karnal.
2. On the last date of hearing, i.e. 21.12.2023, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner has argued that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the name of the petitioner has surfaced in the second disclosure statement of co-accused Raman Kumar, who was apprehended at the spot and alleged recovery of 13 grams and 80 milligrams of heroin was effected from his house, under his bed. It is further

submitted that the FIR was registered on a secret information and other than the disclosure statement, there is no other material against the petitioner to connect him with the commission of offence. It is further submitted that the petitioner is not involved in any other criminal case and has clean antecedents as such. Learned counsel for the petitioner submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 21.12.2023, 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, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 21.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

February 15, 2024
rps

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