

2025:PHHC:014710



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

204

CRM-M No.31280 of 2024

Date of decision: 31.01.2025

Rahul

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rohit Sharma, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

Prayer in this petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner in FIR No.214 dated 28.05.2024 registered under Section 21-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act'), at Police Station Sector 17 HUDA, Jagadhri District Yamuna Nagar.

On 01.08.2024, this Court has passed the following order:-

“Learned counsel for the petitioner inter-alia submits that 10.85 grams of smack/heroin has been recovered from the co-accused and alleged recovery is used against the petitioner The recovery is of non-commercial quantity. He further submits that the petitioner has been implicated on the basis of disclosure statement of the co-accused made while in custody.

Learned State counsel has filed reply by way of affidavit of Rajesh Kumar, HPS, Deputy Superintendent of Police-II, Yamuna Nagar has been filed and the same is taken on record. He further submits that there are call

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details and exchange of messages between the petitioner and co-accused w.e.f. 28.03.2024 to 28.05.2024 but there is no text retrieving about the messages exchange between the petitioner and co-accused.

In the meantime, the petitioner is directed to join the investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

To come up on 02.12.2024.”

The petitioner did not join the investigation in compliance of the aforementioned order. Thereafter, on 02.12.2024, the petitioner was again directed to join investigation and the State was directed to file a fresh supplementary status report.

Learned State counsel has filed the supplementary status report by way of affidavit of Rajeev Miglani, Deputy Superintendent of Police, Jagadhri, Yamuna Nagar, today in the Court, which is taken on

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record. Learned State counsel submits that the petitioner has not complied with the directions issued by this Court twice and has not joined the investigation despite repeated notices issued by the Investigating Officer and the petitioner is involved in one more case registered under the NDPS Act and he is also absconding in the other case.

In view of the above, the present petition is dismissed.

(HARPREET SINGH BRAR)
JUDGE

31.01.2025
yakub

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