



207 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-65665-2024 (O&M)
Date of Decision: 11.02.2025

AMIT

...Petitioner

V/S

STATE OF HARYANA

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Khokhar, Advocate for
Mr. Sandeep Siwach, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of B.N.S.S. seeking grant of anticipatory bail to the petitioner in case bearing FIR No. 539 dated 02.10.2024 registered for offences punishable under Section 18(c) of NDPS Act (Section 27-A of NDPS Act added later on), at Police Station City Tohana, District Fatehabad.

2. On 01.01.2025, following order was passed:

“Apprehending his arrest in FIR No.539 dated 02.10.2024 registered for offences punishable under Section 18(c) of NDPS Act (Section 27-A of NDPS Act added later on), at Police Station City Tohana, District Fatehabad; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Inter alia contends that the petitioner, who is a young man aged about 23 years is sought to be arraigned as an accused in the case in question on the basis of disclosure statement made by co-accused Satgur Singh from whom allegedly 100 grams of opium has been recovered; in order to buttress his arguments, learned counsel for the petitioner has placed reliance upon the judgment of Hon'ble Supreme Court passed in a case titled as 'Vijay Singh versus The State of Haryana, bearing

Special Leave to Appeal (Crl.) No(s).1266/2023' decided on 17.05.2023, which is reproduced as under:-

"The petitioner is alleged to have committed offences under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter called the NDPS Act". His application for anticipatory bail was rejected by the High Court. The allegations in the FIR are that 1.7 Kg of Poppy Straw (Doda Post) was recovered from the co-accused. The petitioner concededly was not present at the spot but was named by the co-accused. That apart there is no other material to implicate the petitioner. The prosecution urges that another case with allegations of commission of offence under the NDPS Act are pending against the petitioner. It is not denied that in those proceedings he was granted bail. Having regard to these circumstances, the petitioner is directed to the enlarged on anticipatory bail, subject to such terms and conditions as the trial Court may impose. The petition is allowed. All pending applications are disposed of."

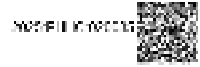
The petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana, appears and accepts notice on behalf of the respondent-State.

Adjourned to 11.02.2025.

The petitioner is directed to appear before the Investigating Officer on 07.01.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023."



3. Learned State counsel on instructions from ASI Karnail Singh, submits that in compliance of order dated 01.01.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel the order dated 01.01.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./482(2) of B.N.S.S.
5. The petition is accordingly disposed of.

(HARPREET SINGH BRAR)
JUDGE

11.02.2025
Ajay Goswami

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