

Law Today Live Doc. Id. 15674

PUNJAB AND HARYANA HIGH COURT

Before: Anupinder Singh Grewal, J.

CRM-M-34446-2020

Decided on: 04.12.2020

Himanshu

Petitioner

Versus

State of Haryana

Respondent

Present:

Mr. R.S. Mamli, Advocate for the petitioner(s).

Ms. Aditi Girdhar, AAG, Haryana.

Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), Section 22(c) – NDPS case – Anticipatory bail -- From two co-accused 2600 tablets containing Tramadol Hydrochloride were allegedly recovered -- Co-accused are alleged to have stated that they had purchased the same from one 'B' and 'B' stated that he had purchased the same from 'J', who stated that he had purchased the same from the petitioner -- Thus, the petitioner has been arraigned as an accused -- Petitioner is not involved in any other case under the NDPS Act – On direction petitioner joined investigation, in view of the Covid-19 Pandemic, the order granting interim bail made absolute.

(Para 3-6)

ANUPINDER SINGH GREWAL, J. (ORAL) –

1. Heard through video conferencing.

2. The petitioner is seeking anticipatory bail in FIR No. 0145 dated 26.09.2020, under Section 22 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' – for short) (Section 29 of the NDPS Act added subsequently), registered at Police Station Jakhal, District Fatehabad.

3. Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that from co-accused Tek Singh and Ajaib Singh 2600 tablets containing Tramadol Hydrochloride were allegedly recovered. Co-accused Tek Singh and Ajaib Singh are alleged to have stated that they had purchased the same from one Balwan. Balwan is alleged to have stated that he had purchased the same from Jagdev, who is alleged to have stated that he had purchased the same from the petitioner and, thus, the petitioner has been arraigned as an accused. He also contends that the petitioner is not involved in any other case under the NDPS Act.

4. This Court, by order dated 29.10.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

5. Learned State counsel, upon instructions from Inspector Vinod Kumar, states that the petitioner has joined investigation.

6. In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 29.10.2020 granting interim bail to the petitioner is made absolute.

7. However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

8. The petition stands disposed of.

Petition allowed.
