

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M -33352 of 2016 (O&M)
Date of decision: 10.11.2016

Surjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Nahel, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Naib Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.03 dated 07.01.2013, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Barnala, District Barnala.

On 20.09.2016, this Court had passed the following order:-

“Contends that the petitioner was not arrested from the spot. The recovery was allegedly effected from car bearing registration No.DL-4CJ/6530. The petitioner is neither the owner nor driver of the said vehicle and its custody was never entrusted to him by anybody. He is not involved in any other FIR.

Notice of motion for 10.11.2016.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, accepts notice. A complete copy of the paper book

has been handed over to learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court. ”*

It is contended that in pursuance of the order dated 20.09.2016, the petitioner has joined the investigation

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 20.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

10.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No