

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

CRM-M -4998 of 2017 (O&M)

Date of decision: 23.03.2017

Naveen Bhatia

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Wadhawan, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.
assisted by ASI Yashpal 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.99 dated 20.07.2016, registered under Sections 21 and 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Gharinda, District Amritsar Rural.

It is contended that in pursuance of the order dated 16.02.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has not joined the investigation.

Heard.

Vide order dated 22.11.2016, the petitioner was admitted to interim bail for three months on medical grounds as the petitioner

is a known patient of renal cancer. The petitioner was repeatedly interrogated and joined in investigation before filing of CRM-M-36511-2016. During the subsistence of order dated 22.11.2016, the present petition was filed and the petitioner was allowed to join investigation, however, during the interregnum period, the challan qua the petitioner has also been filed, therefore, the petitioner was not allowed to join investigation.

Considering the fact that the petitioner remained in custody in the same FIR and he was earlier joined in investigation; the petitioner is neither named in the FIR nor involved in any other FIR, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 16.02.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate/trial Court.

The petition stands allowed.

23.03.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No