

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

CRM-M-31493 of 2017

Date of Decision:17.04.2018

Saraj Singh

.....Petitioner

V/S

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Ms.Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This order shall dispose of this instant petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.87, dated 18.05.2017 under Sections 21/22/25/61/85 of the NDPS Act, registered at Police Station City, District Moga.

On 26.09.2017 this Court has passed the following order:-

“Learned counsel for the petitioner contended that the recovery is from co accused Ranjit Singh and Balraj Singh and no recovery was effected from the present petitioner and he was not apprehended from the spot. Learned counsel for the petitioner further contended that the petitioner is still ready to join the investigation.

Learned State counsel contended that infact the present petitioner is a supplier of drugs and he is required for investigation.

Adjourned to 15.12.2017.

Meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on interim bail to the satisfaction of the Arresting Officer. He shall join investigation as and when called for and shall also abide by

the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Balbir Singh Singh informs the Court that petitioner has since joined investigation.

Observation made by this Court in the order dated 26.09.2017 have gone un rebutted.

Even though, learned State counsel would oppose the prayer for anticipatory bail by contending that the petitioner is habitual offender and is involved in two other cases under the NDPS Act, but it stands conceded that the petitioner has been granted concession of bail in both the matters.

In the totality of the circumstances, custodial interrogation of the petitioner would not be warranted.

Petitioner having joined investigation, prayer made in the instant petition is accepted.

Order dated 26.09.2017 passed by this Court is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.04.2018

Anjal

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No