

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.3440 of 2018 (O&M)

Decided on: 19.12.2018

Mandeep Singh @ Mani

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The operative part of the order dated 01.11.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that now the report under Section 173 Cr.P.C. stands presented wherein sections of NDPS Act stand deleted and challan has been presented only under Sections 399, 402 IPC and Section 25 of the Arms Act, 1959. Learned counsel for the petitioner has, thus, submitted that extension of two months' time, granted by the trial Court exercising the power under Section 36-A of the NDPS Act, became redundant in view of the fact that the provisions of NDPS Act stand deleted. Learned counsel for the petitioner seeks some time to place on record report presented under Section 173 Cr.P.C.

Learned counsel for the petitioner further submitted that the petitioner is not involved in any other case.

Learned State counsel, on instructions from ASI Ramji Dass, has not disputed the aforesaid fact that while

submitting the report, under Section 173 Cr.P.C., provisions of NDPS Act stand deleted and extension of two months' time, granted by the trial Court vide order dated 28.08.2018, exercising the power under Section 36-A of NDPS Act, has become redundant.
List again on 19.12.2018....”

Counsel for the petitioner submits that in pursuance to the order dated 01.11.2018, the petitioner has been released on interim bail subject to his furnishing bail/surety bonds noticing the fact that while submitting the report under Section 173 Cr.P.C., the provisions of the NDPS Act stands deleted.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact.

In view of the above, this revision petition is disposed of and the interim bail granted to the petitioner vide order dated 01.11.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

19.12.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No