

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.8894 of 2019

Date of decision: 9.4.2019

Saraj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr.H.S.Sitta, AAG Punjab.

MANOJ BAJAJ, 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. 110 dated 30.12.2017 under Sections 21/29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Fatehgarh Panjtoor, now P.S. Kot Isse Khan, District Moga.

On 27.2.2019, this Court had passed the following order :-

“Learned counsel for the petitioner contends that the petitioner was indicted as an accused on the basis of statement suffered by co-accused, namely, Gurjit Kaur. The alleged recovery of contraband was effected from co-accused Gurjit Kaur. Though the concession of interim pre-arrest bail was extended to the petitioner, however, the bail application was dismissed on the ground that the petitioner has not joined the investigation. Learned counsel for the petitioner contends that as the mother of the petitioner fell ill so he had to go out of town.

Notice of motion for 9.4.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of

arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 27.2.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of HC Bhagwan Singh 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 27.2.2019, is made absolute.

The petition stands allowed.

April 9, 2019
Meenu

(MANOJ BAJAJ)
JUDGE

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