

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

CRM-M-12028-2019

Date of decision-11.07.2019

Rajan Trehan

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.S.Bhalla, Advocate for the petitioner.
Mr. Hittan Nehra, Addl.AG, Punjab assisted by
ASI Kamal.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0061 dated 03.07.2018 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Harike, District Tarn Taran. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 01.04.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Through instant petition under Section 438 Cr.P.C. prayer has been made for grant of pre-arrest bail to the petitioner in case FIR No.0061 dated 03.07.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Harike, District Tarn Taran.
Learned counsel for the petitioner inter alia contends that petitioner is innocent. He is not named in the FIR. He has been implicated in this case on the basis of*

disclosure statement of coaccused Balkar Singh, which is a very weak type of evidence.
Considering overall facts and circumstances, 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.
Adjourned to 11.7.2019.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Kamal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Kamal further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.04.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

11.07.2019
vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No