

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

208

CRM-M-12993 of 2019

Decided on : 29.04.2019

Bhajan Kaur

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE MANOJ BAJAJ

Present : Mr.Prateek Pandit, Advocate
for the petitioner.
Mr.Harsimar Singh Sitta, AAG, Punjab.

Manoj Bajaj, J. (Oral)

This petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 122 dated 27.09.2018, under Section 22, 29 of NDPS Act, 1985 registered at Police Station Division Subhanpur, District Kapurthala. The petitioner apprehends his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 20.3.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged recovery of contraband was effected from accused, namely, Paramjit Singh. According to him, upon his disclosure the petitioner has been indicted in the said FIR who is stated to be the purchaser of contraband from the said accused. It is further pointed out that the said statement may not be admissible in the evidence and except that there is nothing to connect the petitioner with the alleged crime.

Notice of motion for 29.04.2019.

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 her 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 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, Tarsem does not dispute this fact that the petitioner has joined the investigation. Learned counsel further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petitioner is allowed and the interim bail granted by this Court vide order dated 20.3.2019 is made absolute. However, it is made clear that this order shall remain operative only till the filing of the final report under Section 173(2) Cr.P.C.

The petition stands allowed.

[MANOJ BAJAJ]
JUDGE

29.04.2019
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No