

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

**CRM-M No.14922 of 2019 (O&M)
Date of Decision: 04.07.2019**

Jaspal Singh @ Jassa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Mr. Venu Gopal Jauhar, Senior Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.62 dated 14.09.2018, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) [Section 29, NDPS Act added later on], registered at Police Station Khalra, District Tarn Taran.

The recovery is only 10 grams of *Heroin* and that too from the co-accused and not from the petitioner.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Des Raj Singh.

This Court, while issuing notice of motion on 01.04.2019, passed the following order:-

“ Learned counsel for the petitioner inter alia contends that no recovery was effected from the petitioner and he has been named as an accused only on the disclosure statement of the co-accused.

Notice of motion for 04.07.2019.

The petitioner is directed to join investigation with the Investigating Officer on 08.04.2019 at 10.00 a.m. and co-operate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his joining the investigation and compliance of the provisions enshrined under Section 438(2) Cr.P.C. ”

On instructions from ASI Des Raj Singh, learned State Counsel has apprised the Court that in terms of above order, petitioner has joined the investigation and his custodial interrogation is no longer required.

In view of above, interim order dated 01.04.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

July 04, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>