

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

213

CRM-M-15684-2019 (O & M)

Date of Decision:17.05.2019

Subeg Singh

...Petitioner

Versus

Intelligence Officer and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S. Manaise, Advocate for the petitioner.

Mr. D.D. Sharma, Advocate for respondent No.1.

Ms. Riffi Birla, Advocate for respondent No.3.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case bearing NCB Crime No.32 dated 30.05.2017 under Sections 8, 21, 23, 60 and 61 of NDPS Act was registered at Police Station NCB Amritsar, District Amritsar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 08.04.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“ Learned counsel for the petitioner contends that a case bearing NCB Crime No.32 dated 30.05.2017 under Sections 8, 21, 23, 60 and 61 of NDPS Act was registered at Police Station NCB Amritsar, District Amritsar and after investigation nothing incriminating was found against the petitioner. It is contended that the alleged contraband was recovered from the fields of respondent No.3-Kala Singh. After completion of

investigation, the trial commenced and when the case was fixed for defence evidence, the accused Kala Singh moved an application under Section 319 Cr.P.C., which stands allowed vide order dated 11.02.2019.

Notice of motion for 08.05.2019.

Ms. Riffi Birla, Advocate accepts notice on behalf of respondent No.3 and has filed 'Memorandum of Appearance' in Court.

Let the petitioner appear before the learned trial Court on or before 24.04.2019 and the trial Court shall admit him on interim regular bail, subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of Trial Court. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the trial Court. According to him, the petitioner has furnished requisite bonds to the satisfaction of the trial Court.

Learned State counsel does not dispute this fact that the petitioner has appeared before the trial Court. He 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 08.04.2019 is made absolute and the petitioner is allowed to remain on the bail bonds and surety bonds furnished by him pursuant to the interim order dated 08.04.2019 passed by this Court.

The petition stands allowed.

17.05.2019

sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No