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

**CRM-M-15437 of 2019**

**Date of decision: September 04, 2019**

Balak Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:** Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

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**MAHABIR SINGH SINDHU, J (Oral)**

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.151 dated 29.07.2018, under Sections 21, 27-A, 61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Lopoke, District Amritsar.

As per prosecution case, petitioner and his son Bikramjit Singh @ Bikkar are indulged in the business of illegal transporation of Heroin from the side of Pakistan and 1 kg. 40 grams of Heroin was also recovered from the possession of his son.

On 02.05.2019, this Court has passed the following order:-

*“It is contended by learned counsel for the petitioner that the petitioner has been roped in the present case after a period of nine months of the registration of the FIR on the basis of the disclosure statement of the son of the petitioner, who is one of the accused in this case.*

*Learned State counsel seeks some time to verify the*

*above factual position.*

*Adjourned to 24.07.2019, for further consideration.*

*In the meanwhile, the petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”*

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 02.05.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 02.05.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

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

The above observations may not be construed as an expression of opinion on the merits of the case.

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

**September 04, 2019**

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No