

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

105

**CRM-M-18701-2019(O&M)
Date of Order:06.09.2019.**

KULWINDER SINGH

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Naresh Jain, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

Prayer in the petition is to grant anticipatory bail in FIR No.21,
dated 23.03.2019.

On 09.05.2019, while noticing contentions of learned counsel
for the petitioner, following order was passed:-

“Learned counsel for the petitioner contends that the petitioner is only an owner of the car, which is alleged to have been used by two other co-accused at the time of commission of offence. He has further drawn attention of the Court to para 38 and 39 of the judgment dated 03.06.2015 (Annexure P-3) passed by the Special Court, Sri Muktsar Sahib, to contend that family of the petitioner and his other relatives are being falsely implicated.

Learned counsel for the State, on instructions from HC Amarjit Singh, submits that the car has been recovered. He further submits that the recovery of 50 gms heroine, which is a non-commercial quantity, was effected from the co-accused.

List on 04.07.2019.

In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Learned counsel for the State is directed to file status report by way of affidavit of Senior Superintendent of Police, Sri Muktsar Sahib before the next date of hearing.”

Thereafter, Senior Superintendent of Police, Sri Muktsar Sahib was directed to remain present. He was also requested to examine the facts of the case with reference to the judgment dated 03.06.2015 passed by the Special Court, Sri Muktsar Sahib and file his response. Affidavit of Senior Superintendent of Police, Sri Muktsar Sahib, has been filed.

Learned counsel for the State, on instructions from ASI Sukhdev Singh, has submitted that the petitioner has joined the investigation, cooperated and not required for further custodial interrogation.

Keeping in view the aforesaid facts, order dated 09.05.2019 is made absolute.

September 06, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No