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

CRM-M-18741 of 2019

Date of decision: September 04, 2019

Boota Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

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.20 dated 09.03.2019, under Sections 15, 25 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sudhar, District Ludhiana.

As per prosecution case, petitioner has been nominated in this case on the basis of disclosure statement suffered by co-accused Manjinder Singh.

On 03.05.2019, this Court has passed the following order:-

“Learned counsel for the petitioner contends that the alleged contraband of 80 k.g. of popy-husk was recovered from Manjinder Singh and the petitioner has been nominated on the basis of his disclosure statement. He further contends that there is no criminal case pending against the petitioner.

Learned State counsel to seek instructions regarding pendency of any other criminal case against the petitioner.

Adjourned to 24.07.2019.

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) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 03.05.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 03.05.2019 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