

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

**CRM-M No. 21626 of 2019
Date of Decision:-18.09.2019**

Amandeep Singh @ Aman @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

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 FIR No.113 dated 26.9.2018, under Section 21 of NDPS Act, registered at Police Station Shambhu, District Patiala. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 13.5.2019 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 the FIR is based on secret information and the alleged

recovery of contraband was effected from the accused- Kuldeep Singh, who was arrested at the spot. According to him, petitioner was neither named in the FIR nor present at the spot and has been indicted after filing of the challan on 30.12.2018. He refers to the statement of Sub Inspector Geeta Rani recorded on 18.04.2019 by the trial Court indicating that the petitioner-Amandeep Singh was nominated as an accused by SHO/Inspector - Kulwinder Singh during investigation.

Notice of motion for 18.09.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Moher Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Moher Singh 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 13.5.2019 is made absolute.

September 18, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No