

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

CRM-M-45529-2018 (O&M)

Date of decision : 07.12.2019

Prithi Singh @ Mithu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Zubin Chhura, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab
alongwith ASI Naveen Kumar.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of pre-arrest bail in FIR No.234 dated 11.09.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, at Police Station City, Kapurthala, District Kapurthala.

On 15.10.2018, following order was passed:-

“In this case, Habeas Corpus was filed by the petitioner which is pending for 17.10.2018. Warrant Officer was appointed who has submitted his report wherein it is reported that the petitioner was picked up from his house around 4:40 p.m. on 11.9.2018. However, he was got released by the Warrant Officer.

Although recovery has been shown to be effected from the petitioner yet when Warrant Officer visited the police

station, nothing was mentioned in the Roznamcha with regard to arrest of the petitioner.

Notice of motion for 19.2.2019.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

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

In view thereof, order dated 15.10.2018, is made absolute.

Accordingly, the present petition is allowed.

07.12.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No