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

CRM-M-21305 of 2019

Date of decision: September 05, 2019

Baljit Singh @ Gola

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. D.N. Ganeriwala, 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.0010 dated 23.04.2018, under Sections 15, 25, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station State Special Operation Cell, Amritsar.

As per prosecution case, petitioner has not been named in the FIR and no recovery has been effected from him.

On 10.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that neither the petitioner has been named in the FIR; nor any recovery has been effected from him. Also contends that even the petitioner is not the owner of the alleged truck in question from which the recovery of the alleged contraband was effected.

Notice of motion for 29.07.2019.

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) Cr.P.C.”

Learned State counsel, on instructions from Assistant Sub Inspector Barinder Singh has stated that in terms of order dated 10.05.2019, petitioner has joined investigation and his custodial interrogation is not required. He has also submitted that there is no other criminal case pending against the petitioner.

In view of the above, order dated 10.05.2019 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 05, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No