

209

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

CRM-M-23491 of 2019

Date of decision: July 12, 2019

Tarandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG 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.48 dated 10.04.2019, under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Barnala, District Barnala.

As per prosecution case, co-accused of the petitioner, namely Sukhpal Singh was apprehended and 50 strips of CLOVIDOL 100 SR were recovered from his possession.

On 22.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Learned counsel for the petitioner contends that neither the petitioner has been named in the FIR nor any recovery is effected from him, rather, alleged contraband was recovered from Sukhpal Singh and on the basis of his statement while in police custody, petitioner has been

nominated as an accused in this case.

Notice of motion returnable on 12.07.2019.

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 Assistant Sub Inspector Harbans Singh, has submitted that petitioner has joined investigation in terms of order dated 22.05.2019 and his custodial interrogation is not required.

In view of the above, order dated 22.05.2019 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

July 12, 2019

mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**