

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

C.R.M-M No.7972-2018
Date of Decision : 28.2.2019

Balwant Singh alias Beant @ Bant Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. O.P.Kamboj, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.117 dated 27.8.2017 registered under Sections 21/22/61/85 of the NDPS Act, P.S.Valtoha, District Tarn Taran.

On 27.2.2018, the following order was passed :-

"It has been submitted that the petitioner was not arrested from the spot and no identification parade was conducted. His name has been arraigned solely on the basis of alleged disclosure statement of the coaccused.

It has been further submitted that the report of Forensic Science Laboratory has not been received.

Notice of motion for 2.5.2018.

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 ad interim bail till the next date, subject to his furnishing bonds to the satisfaction of SHO/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Code of Criminal Procedure failing which he shall lose the benefit of interim bail allowed to him.”

Today counsel for the petitioner has stated that the petitioner has joined the investigation.

Learned DAG on instructions from ASI Sarwan Singh has accepted these factual assertions and stated that he is no more required for custodial interrogation.

In the circumstances, keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 27.2.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

28.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No