

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

CRM-M-27936-2019

Date of decision-16.11.2019

Jagroop Singh @ Rupa

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, 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.26 dated 31.03.2019 under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Bhikhiwind, District Tarn Taran. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 04.07.2019 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 alleged recovery of contraband was effected from accused-Gurwinder Singh @ Kani, who was arrested on the spot. According to learned counsel, the petitioner was one of those person who had allegedly escaped from the place of occurrence. It is argued that vehicle also

belongs to Gurwinder Singh. It is pointed out that the alleged contraband was recovered from motorcycle driven by Gurwinder Singh.

Notice of motion for 11.11.2019.

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 Des Raj Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Des Raj 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 04.07.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.11.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No