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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32486-2019

Date of Decision: 25.11.2019

Manjit Kaur and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S. Barnala, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.249 dated 28.06.2019 under Sections 22, 25 and 29 NDPS Act, 1985, registered at Police Station City Barnala, District Barnala. They have apprehended their arrest at the hands of Police.

Learned counsel for the petitioners have invited the attention of the Court to the order dated 04.10.2019 whereby interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that there is no recovery from the petitioners; rather the alleged contraband i.e. four bottles of WINCIREX and forty tablets of CARISOMA were recovered from the co-accused namely, Kali @ Binder and Mano.

Learned State counsel wishes to verify the above factual position.

Adjourned to 25.11.2019.

In the meanwhile, the petitioners are directed to join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 Sukhdev Singh does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Sukhdev Singh further states that the petitioners are 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 04.10.2019 is made absolute.

25.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No