

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

**CRM-M No.34811 of 2019 (O&M)
Date of Decision: 31.10.2019**

Sudhir Bagha

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Subhash Kumar, Advocate for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.125 dated 29.05.2018, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.7, District Police Commissionerate Jalandhar.

This Court, on the previous date of hearing i.e. 13.09.2019, passed the following order:-

“ Contends that recovery from the petitioner is only 1 gram of the alleged contraband and there is no other criminal case pending against him.

Learned State counsel seeks time to verify the pendency of other cases against the petitioner.

Adjourned to 31.10.2019, for consideration.

In the meanwhile, 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. ”

Contents that in terms of above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from ASI Kamaljit, has acknowledged that in terms of order dated 13.09.2019, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 13.09.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

October 31, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>