

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

**CRM-M No.35530 of 2019 (O&M)
Date of Decision: 10.12.2019**

Lakhbir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Amit Arora, 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 pre-arrest bail to the petitioner in case bearing FIR No.33 dated 28.04.2019, under Sections 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Chohla Sahib, District Tarn Taran.

This Court, on 23.10.2019, passed the following order:-

“ Contends that neither any recovery was effected from the petitioner; nor he is involved in any other criminal case. Also contends that the petitioner has been nominated in the present case only on the basis of disclosure of co-accused, namely Shamsher Singh, thus, the same cannot be termed as a substantial material against him, at this stage.

Learned State counsel seeks time to have instructions in the matter.

Adjourned to 29.11.2019.

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. ”

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

Learned State Counsel, on instructions from ASI Swaran, has acknowledged that in terms of order dated 23.10.2019, petitioner has joined the investigation and his custodial interrogation is not required. Also stated that there is no other criminal case pending against the petitioner.

In view of above, interim order dated 23.10.2019 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.

December 10, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

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