

240

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

CRM-M-36598 of 2019

Date of decision: October 17, 2019

Rachhpal Singh @ Kala Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.149 dated 20.06.2019, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Section 29 of NDPS Act added later on), registered at Police Station Lehra, District Sangrur.

On 04.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Learned counsel for the petitioner contends that the name of the petitioner was nominated on the basis of the disclosure statement of co-accused Surjit Singh @ Bagga and there is no other criminal case pending against the petitioner. Further contends that recovery of 10 kg of Poppy husk was also effected from co-accused namely Surjit Singh @ Bagga.

Notice of motion for 17.10.2019.

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) Cr.P.C.”

Learned State counsel, on instructions from police official present in Court to assist him, has stated that in terms of order dated 04.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 04.09.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

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

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 17, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No