

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

**CRM-M No.38412 of 2019 (O&M)
Date of Decision: 27.11.2019**

Anil and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Arjun Veer Sharma, Advocate for the petitioners.

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 petitioners in case bearing FIR No.20 dated 20.01.2018, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.7, Police Commissionerate, Ludhiana.

This Court, on the previous date of hearing i.e. 18.09.2019, passed the following order:-

“ Contends that both the petitioners were nominated on the basis of disclosure made by co-accused, namely Anchal from whom the recovery of 10 kg. of ganja is alleged to have been effected. Further contends that Anchal is the sister-in-law and daughter-in-law of both the petitioners, respectively. Also contends that there is no other case pending against the petitioners under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned State counsel seeks time to verify the above factual position.

Adjourned to 27.11.2019.

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) of Code of Criminal Procedure, 1973. ”

Contents that in terms of above order, petitioners have joined the investigation.

Learned State Counsel, on instructions from SI Nachattar, has acknowledged that in terms of order dated 18.09.2019, petitioners have joined the investigation and their custodial interrogation is not required.

In view of above, interim order dated 18.09.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

Disposed off accordingly.

November 27, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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