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

CRM-M-39967 of 2019

Date of decision: December 20, 2019

Billo

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sanjeet Singh Taank, Advocate for
Mr. Sandeep Kumar, Advocate for the petitioner.

Mr. H.S. Multani, AAG 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.199 dated 16.08.2019, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.6, District Police Commissionerate, Ludhiana.

On 07.11.2019, this Court has passed the following order:-

“Contends that the recovery of alleged contraband, i.e. 70 grams of intoxicant powder was recovered from the co-accused, namely Puja and only on the basis of her disclosure, the petitioner has been nominated as an accused. Also contends that there is no criminal case pending against the petitioner.

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

On his request, adjourned to 20.12.2019, for further consideration.

In the meanwhile, the petitioner is directed to join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on her 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.”

Learned State counsel, on instructions from ASI Shaukeen Singh, has stated that in terms of order dated 07.11.2019, the petitioner has joined investigation and his custodial interrogation is not required. Also stated that there is no other criminal case pending against the petitioner.

In view of the above, order dated 07.11.2019 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

December 20, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No