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

CRM-M-41665 of 2019

Date of decision: October 17, 2019

Aman Rana

.....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.154 dated 08.09.2019, under Section 22 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 City Hoshiarpur, District Hoshiarpur, Punjab.

On 27.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Inter alia contends that the name of the petitioner figured for the first time only in the disclosure statement of co-accused Love, during his interrogation. It is further contended that even the recovery of intoxicating powder is shown to have been effected from Love and Amit Rana. The only role attributed to the petitioner is that he fled away from the spot after throwing an envelope allegedly containing 8.2 gms of intoxicating powder.

Notice of motion for 17.10.2019.

In the meantime, the petitioner is directed to join the investigation and appear before the investigating officer. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged in Section 438(2) Cr.PC.”

Learned State counsel, on instructions from police official present in Court to assist him, has stated that in terms of order dated 27.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 27.09.2019 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