

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

CRM-M-44347-2019
Date of Decision:09.12.2019

Sukhdev Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

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

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C. seeking pre arrest bail in case FIR No.58 dated 14.02.2015 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Tarn Taran, District Tarn Taran.

On 30.10.2019, the following order was passed by this Court:

“ Contends that after investigation in the matter, a cancellation report has already been prepared by the police and the petitioner is ready to join proceedings before the Court below.

Adjourned to 09.12.2019, for further consideration.

In the meantime, the petitioner is directed to join proceedings before learned Special Court, Tarn Taran and he be released on interim bail, till the next date of hearing, subject to its satisfaction.”

It is contended by learned counsel for the petitioner that in terms of the above order, petitioner has already joined investigation.

Learned State counsel on instructions from ASI Tarsham Singh has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case in view of the fact that the cancellation report in the matter was prepared and approved by the DSP concerned way back on 15.10.2016.

It is not discernible as to why the cancellation report which has been forwarded way back on 15.10.2016 before the Court concerned for consideration is still pending. In view of the above, order dated 30.10.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

Learned trial Court is requested to expedite the matter regarding the cancellation report at the earliest, as per law.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

December 09, 2019

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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no