

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

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CRM-M-62133 of 2018

Date of decision : 08.07.2019

Narinder Kumar @ Neeta

... Petitioner

Versus

State of Punjab

.. Respondents

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Kuldeep V. Singh Ahluwalia, Advocate for the petitioner.

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.159 dated 13.08.2009 under Section 18 of the NDPS Act registered at Police Station Adampur, Jalandhar.

Learned counsel for the petitioner contends that the allegations in the FIR are that 1 kg. opium was recovered from co-accused. The petitioner was not named in the FIR and has been arrayed on the disclosure statement of the co-accused. He has relied upon the judgment in the case of **Surinder Kumar Khanna Vs. Intelligence Officer, Directorate of Revenue Intelligence** reported as **2018 (8) SCC 271** wherein conviction on the basis of disclosure statement was set aside.

A Coordinate Bench of this Court, by the order dated 08.01.2019, had also directed the petitioner to appear before the Investigating/Arresting Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Gurmit Ram, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 08.01.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 08, 2019

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No