

In virtual Court

CRM-M-12584-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12584-2020 (O&M)
Date of decision: 22.12.2020

Jugraj Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.127 dated 30.11.2019 under Section 21 of NDPS Act, registered at Police Station Sadar Phagwara, District Kapurthala.

While granting interim bail to the petitioner, following order was passed by this Court on 20.05.2020: -

“...Learned counsel contends that the alleged contraband (5 kgs heroin) was found in possession of accused Precious, who was arrested on the spot. It is pointed out that on her disclosure statement, another accused Bachitar Singh was introduced in the case on the ground that the said contraband was to be delivered to

him. Learned counsel contends that further on the disclosure statement of Bachitar Singh, the petitioner has been indicated as an accused and the nature of evidence collected by the police is weak in nature. He submits that in the given facts, the custodial interrogation of the petitioner may not be necessary, particularly when petitioner is not involved in any other case of similar nature...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation on three occasions and is not required for any further investigation.

Learned State counsel, on instructions from ASI Balwinder Singh, has not disputed the factual position, however, submits that the petitioner is still required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 20.05.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It is made clear that as and when the petitioner is required for further investigation, it will be open for the Investigating Officer to issue him a notice in writing for the said purpose.

[ARVIND SINGH SANGWAN]
JUDGE

22.12.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No