

CRM-M-15462-2020
Date of decision-18.11.2020

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Mr. Saurav Khurana, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.36 dated 14.04.2020 under Sections 29, 30, 61, 85 and 27-A Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Gharinda, District Amritsar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 23.06.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The case has been taken up by way of Video Conference as per instructions in view of COVID-19 pandemic.

Pursuant to order dated 17.6.2020, Shri Sullar, learned State counsel states that only evidence against petitioner is disclosure statement of co accused that he had given him contact number of drug peddler Afjal in Pakistan. He further states that petitioner is not involved in any other case.

List on 10.8.2020.

In the meanwhile, petitioner is directed to join investigation. In the event of arrest of petitioner, he be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer. He will abide by conditions of Section 438 (2) Cr.P.C”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Hardeep Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 23.06.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

18.11.2020

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