

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19234-2020
Date of Decision: 31.08.2020

Sarabjit Singh

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amrik Singh, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

* * *

VIVEK PURI, J. (ORAL)

On 17.07.2020 following order was passed:

“Briefly, the FIR bearing No. 104 dated 23.10.2019 under Section 15/61/85 of NDPS Act, 1985 Police Station Kiratpur Sahib District Rupnagar has been registered against Gurinder Singh and Paramjit Singh as they were apprehended by the police on 23.10.2019 and 50 Kg and 500 grams of Poppy husk was recovered from them.

It has been stated by the learned counsel for the petitioner that he has been sought to be implicated on the basis of disclosure statement of the co-accused. However, the petitioner has not been named in the FIR.

Notice of motion.

Mr. H.S. Sullar, DAG, Punjab, accepts notice on behalf of the respondent-State. Copy of the paper-book be supplied to him during the course of the day through email.

Adjourned to 31.08.2020.

Meanwhile, it is directed that in the event of arrest, the

petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

It has been stated by learned counsel for the petitioner that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court and is no more required for custodial interrogation.

Learned State counsel, on instructions from ASI Balbir Chand, has not disputed the factual position of the case.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 17.07.2020 is made absolute.

The petition stands allowed.

31.08.2020
Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No