

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

CRM-M-21307-2020 (O&M)

Date of decision: 09.09.2020

Kulwant Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gurjot Singh Sadhrao, Advocate for the petitioner.

Mr. H.S. Sitta, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 03 dated 04.01.2020, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Faridkot, District Faridkot.

On 31.07.2020, this Court passed the following order :-

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 03 dated 04.01.2020, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (‘NDPS Act’ - for short), registered at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and no recovery has been effected from him. He has been arraigned as an accused on the

statement of co-accused from whom non-commercial quantity of heroin was effected. He also contends that the petitioner is not involved in any other case under the NDPS Act.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 09.09.2020.

In the meantime, the petitioner is directed to appear before the investigating/ arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C. ”.

Learned counsel for the petitioner states that pursuant to the order dated 31.07.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from SI Harphool Singh, states that the petitioner has joined the investigation and he is not required for any further investigation.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 31.07.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

09.09.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No