

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202)

CRM-M-22141 of 2020

Date of Decision: 28.09.2020

Gurnam Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vikas Bishnoi Godara, Advocate, for the petitioner.
Mr. Deepak Bhardwaj, DAG, Haryana.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

On August 10, 2020, the following order had been passed:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.474, dated 14.7.2020, having been registered at Police Station Sadar, Hisar, alleging therein the commission of an offence punishable under Section 21-B of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been named in the FIR only after a disclosure statement allegedly made before the police, by the person who is stated to have been apprehended with 21 grams of heroin (non-commercial quantity). He further submits that there is no other criminal case registered against the petitioner.

Notice of motion.

Mr.Manish Bansal, learned DAG, Haryana, accepts notice at the asking of the court, he already having received instructions in advance.

202)

CRM-M-22141 of 2020

-2-

He submits that the petitioner being the person from whom the main accused, i.e. Satnam Singh @ Sattu, stated that he had purchased the contraband, he does not deserve the concession of bail.

He however, on query, does not deny that there is no other criminal case registered against the petitioner.

That being so, without making any comment on the actual merits of the case, the petitioner is directed to join investigation and upon him so joining if he is sought to be arrested, he shall be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate. He shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C.

If the investigating officer does not actually join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation, in terms of the order of this Court.

Adjourned to 28.9.2020.”

Today learned counsel for the State submits on instructions received from ASI Rajesh Kumar, that the petitioner has joined investigation on 28.08.2020.

That being so, for the reasons already recorded in the aforesaid order, without making any comment on the actual merits of the case, for or against the petitioner, this petition is allowed, with the said order made absolute on the same terms and conditions. The petitioner shall continue to join investigation as and when summoned.

28.09.2020

vcgarg

(AMOL RATTAN SINGH)

JUDGE

Whether reasoned/speaking: Yes

Whether reportable: No