

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

Crl. Misc. M-22117 of 2020
Date of decision: 14.10.2020

203

Karamjit Singh

....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. F.S. Virk, Advocate,
for the petitioner.

Mr. A.A. Pathak, Addl. A.G., Punjab.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No. 78 dated 08.07.2020 under Sections 15 of the NDPS Act, 1985, P.S. Sadar Rampura, District Bathinda.

Counsel for the petitioner submits that the petitioner has joined investigation in pursuance of the interim order dated 10.08.2020.

Counsel for the State does not deny this fact, on instructions from ASI, Baljit Pal. Counsel further states that there is no other case of similar nature against the petitioner. Relevant portion of the interim order dated 10.08.2020 reads thus:-

“Counsel inter alia submits that the petitioner is the owner of the vehicle which was carrying 17 kgs of poppy husk being driven by Bant Singh, whose regular bail has been dismissed on 31.07.2020 (Annexure P-2). The petitioner's anticipatory bail has been declined on

the ground that he was the owner and, therefore, he was to be questioned. It is submitted that the conscious possession as such would be of the driver as the petitioner was not at the spot. The custodial interrogation, in such circumstances, is not required.

Notice of motion.

Mr. Saurav Khurana, DAG, Punjab accepts notice on behalf of the State and prays for time to confirm as to how the Special Court has recorded a finding that the petitioner had alighted from the vehicle before its interception.

Adjourned to 14.10.2020.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.”

Accordingly, the petition stands allowed by confirming the interim order dated 10.08.2020.

14.10.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No