

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

CRM-M-22584-2020(O&M)

Date of decision : 05.10.2020

Iqbaljit Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Harpal S.Sidhu, Advocate for the petitioner.

Mr.A.S.Sandhu, Addl.AG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No. 57 dated 20.02.2020, registered under Sections 22 and 29 of the NDPS Act,1985, at Police Station Sadar Amritsar, District Amritsar.

On 13.08.2020 while issuing notice of motion the following order was passed by this Court:-

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in case FIR No.57 dated 20.02.2020, under Sections 22/29 of the NDPS Act, registered at Police Station Sadar Amritsar, District Amritsar.

Counsel submits that the alleged recovery of intoxicant

tablets was effected from co-accused, Resham Singh and Bhajan Singh. No recovery was made from the present petitioner. Further urged that the petitioner is sought to be implicated on the disclosure statements of afore noticed co-accused who stated that the intoxicant tablets were supplied by a person having mobile phone No.85284-78296. During the course of investigation, the sim of the particular phone number was found to be in the name of the present petitioner.

Counsel submits that it is a case of false implication. The petitioner has clean antecedents and is not involved in any other case under the NDPS Act.

Notice of motion, returnable for 05.10.2020.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State Counsel, upon instructions from ASI Kulwant Singh, informs the Court that the petitioner has since joined investigation and is not required for custodial interrogation.

In view of the above, petition is allowed. Order dated 13.08.2020 passed by this Court is made absolute.

(TEJINDER SINGH DHINDSA)
JUDGE

05.10.2020
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No