

213-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.24837 of 2020

Date of Decision: 08.09.2020

ISHU KUMAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Amaninder Preet, Advocate
for the petitioner.

Mr. Ramdeep Pratap Singh, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.250 dated 02.05.2020 registered under Section 22 and Section 29 of the NDPS Act (Act No.61 of 1985) added later on at Police Station City Barnala, District Barnala.

On 28.08.2020, following order was passed by this Court:-

“The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of disclosure statement of co-accused Rajinder Singh.

Petitioner is a licensed chemist and proprietor of Ashu Medicos, Near Dera Baba Gandha Singh, Barnala. Licence is valid from 26.8.2016 to 25.8.2021. Earlier also petitioner was implicated in FIR No.38 dated 2.4.2017 under Section 22 NDPS Act at Police Station Tapa District Barnala. and FIR No. 302 dated 21.9.2017 under Section 22 of the NDPS Act at Police Station City Barnala. Petitioner was acquitted in both the aforesaid cases vide judgment dated 11.9.2019 and 27.1.2020 respectively. The police has also nominated the petitioner in three FIRs, including the present FIR. Petitioner has also filed CRM No.24830 of 2020 in FIR No.95 dated 25.2.2020 under Sections 22 and 25, 29 (added later on) of the NDPS Act at Police Station City Barnala, which is listed before the Coordinate Bench. Main accused Pinki Kaur has been enlarged on regular bail vide order dated 15.7.2020 passed in CRM-M No.16921 of 2020.

Notice of motion.

At the asking of Court, Mr.Ramdeep Partap Singh, DAG, Punjab accepts notice on behalf of the respondent.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 1.9.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List again on 8.9.2020.”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the

investigation.

Learned State counsel on instructions from ASI Jarnail Singh admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of above, interim order dated 28.08.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

September 08, 2020	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No