

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

215

**CRM-M-25135-2020
Decided on : 28.09.2020**

Ashish @ Ashu @ Lundi

... Petitioner

Versus

State of Punjab

... Respondent

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

Present: Mr.Kartik Gupta, Advocate, for the petitioner.

Mr.B.S.Sewak, Addl.A.G., Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner seek anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No.188 dated 25.06.2020 under Sections 22, 61 & 85 of NDPS Act registered at Police Station City District Hoshiarpur.

Counsel for the petitioner submits that in terms of the order dated 31.08.2020, petitioner has joined investigation, which fact has been vouched for by the State Counsel, on instructions from ASI-Kewal Singh. He further submits that petitioner's antecedents are clean and he is not involved in any other case of similar nature and is not required for further investigation.

Relevant part of the order dated 31.08.2020 reads as under:

“Counsel for the petitioner inter alia submits that the petitioner though named in the FIR has allegedly fled from the custody of the Head Constable leaving behind the motorcycle. It is submitted that there is no recovery to be effected from the petitioner as the co-accused was carrying 20 grams of intoxicating powder and he has been already released on regular bail vide order dated 17.07.2020 (Annexure P-4). It is further submitted that petitioner's antecedents are clean and there is no case of similar nature registered against him.”

In view of the above facts, no useful purpose would be served by taking the petitioner in custody.

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

215 CRM-M-25135-2020 -2-

Accordingly, this Court is of the opinion that custodial interrogation of the petitioner, in the facts and circumstances of the present case is not necessary. In such circumstances, this Court is of the opinion that interim order dated 31.08.2020 is liable to be confirmed. Ordered accordingly.

SEPTEMBER 28, 2020
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No