

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

214

**CRM-M-25133-2020 (O&M)
Decided on : 28.09.2020**

Baljinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present: Mr.M.R.Chaudhary, 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)

CRM-21268-2020

The exemption from filing attested affidavit and the Court fees/process fee/Advocate Welfare Stamp shall be deposited the moment the instructions are modified as such and physical presence is allowed. It is made clear that in case the needful is not done, the order shall be liable to be recalled at the detriment of parties.

CRM-25133-2020

Petitioner seek anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No.73 dated 18.07.2020 under Sections 22, 25, 29, 61, 85 of NDPS Act registered at Police Station Sehna District Barnala.

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-Jagdev 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.

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214 CRM-M-25133-2020 (O&M)

-2-

Relevant part of the order dated 31.08.2020 reads as under:

“Counsel for the petitioner inter alia submits that the FIR was lodged on the basis of secret information and Harjot Singh was arrested at the spot and 1000 tablets of Clovidol had been recovered. The petitioner has been involved on account of his disclosure statement.”

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

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

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No