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

CRM-M-28049-2020

Date of Decision : 17.12.2020

GORA SINGH @ SURINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karanjeet Singh, Advocate
for the petitioner

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

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.32 dated 28.03.2020, under Sections 21, 29 NDPS, 1985, registered at Police Station, Nandgarh, District Bathinda. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.09.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that 2 grams of heroin was recovered from co-accused Harpreet Singh and on his disclosure statement, the petitioner has been indicted as an accused. According to learned counsel in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion 17.12.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Major Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.09.2020 is made absolute.

17.12.2020
sangeeta

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/No