

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37365-2019

Date of Decision: 21.01.2020

Randhir Singh @ Dhira

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S. Khiva, Advocate for
Mr. Ravinder Singh Bassi, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.193 dated 09.08.2019 under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Kharar, District SAS Nagar Mohali. He apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 05.09.2019 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 acting upon the secret information one person, namely, Sandeep Singh was apprehended by Police from the whom recovery of narcotic substance was made. After his arrest, his disclosure statement was recorded and co-accused,

namely, Harpreet Singh was arrested along with other narcotic substance. He submits that in the similar manner, upon the disclosure of said Sandeep Singh, 10 grams of intoxicating powder was recovered from the vehicle of the petitioner who allegedly escaped at the time of recovery. He contends that the said statement may not be admissible. He further submits that the petitioner is not involved in any other similar case.

Notice of motion for 21.01.2020.

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 who is assisted by SI Bhupinder Kumar does not dispute this fact that the petitioner has joined the investigation.

Learned counsel on instructions from SI Bhupinder Kumar 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 05.09.2019 is made absolute.

21.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No