IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-38316-2019
Date of Decision: 23.01.2020

Sonu Verma @ Soni Verma **.. Petitioner**

Vs.

State of Punjab **..Respondent**

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manoj Kumar, Advocate for
Mr. Naresh Kumar Ganga, 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.89 dated 27.07.2019 under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 NDPS Act, 1985 added later on), registered at Police Station Balongi, District S.A.S. 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 10.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

> *"The petitioner has filed the present petition praying for anticipatory bail in case FIR No. 89 dated 27.07.2019 under Section 22 of the NDPS Act 1985 (Section 29 of NDPS Act has been added later on) registered at Police Station Balongi, SAS Nagar, Mohali.*
>
> *Learned counsel for the petitioner contends that the alleged recovery of 17 grams heroin was effected from the co-accused, Vikram Kumar @*

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Vicky. He submits that the petitioner was neither present at the spot nor connected with the crime in any manner and his name was disclosed in the disclosure statement suffered by co-accused.

Notice of motion for 23.01.2020.

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 ASI Dilbagh Singh does not dispute this fact that the petitioner has joined the investigation and 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 10.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

23.01.2020
Jasmine Kaur

Whether speaking/reasoned Yes
Whether reportable No

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