

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

**CRM-M-43290 of 2019
Date of Decision:-18.02.2020**

Mandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Naveen Batra, Advocate
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

JASGURPREET SINGH PURI 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.138 dated 14.9.2019, under Section 15 of NDPS Act, registered at police Station Sadar Hoshiarpur, District Hoshiarpur. 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 07.10.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Counsel inter alia contends that recovery of 64 kilo grams of poppy husk is from car bearing No. DL-

3CY-3545, which is not in the name of the petitioner.

Notice of motion for 03.12.2019.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail by the Investigating Officer. He shall join investigation as and when required and shall comply with the conditions laid down 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 Gurmel Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Gurmel 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 07.10.2019 is made absolute.

February 18, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No