

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

CRM-M-48829 of 2019

Date of Decision: 24.01.2020

Balwinder Singh @Kukku

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ankur Jain, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

On December 13, 2019 following order was passed:-

“Petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No. 85, dated 07.09.2019, registered under Sections 21/25/29 of the NDPS Act, 1985, at Police Station STF, Phase-IV, Mohali.

This very petitioner has already filed two petitions i.e. CRM-M-3144-2018 and CRM-M-38545-2019 alleging false implication on the ground that he and his family owe allegiance to the erstwhile Akali Dal (a political party which was in power before congress party came in power in the State of Punjab)

After taking into consideration various facts which had come on record, Director, Bureau of Investigation, Punjab, was requested to examine entire police file and submit report, vide order dated 07.11.2019. Director, Bureau of Investigation is now seized of the matter.

Yesterday i.e. 12.12.2019 on the request of learned counsel for the State, case was adjourned to 28.02.2020 enabling Director, Bureau of Investigation to conclude his investigations.

In this petition, it is not in dispute that there is no recovery of narcotics/psychotropic substance either from the petitioner or from his house.

Keeping in view the facts of the case and previous order passed on 07.11.2019 referred to above, which shall be read as part of this order, it is considered appropriate to direct the petitioner to join investigation. The petitioner shall be interrogated in the presence of a young direct recruit IPS Officer posted in the area.

Adjourned to 24.01.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel representing the State on instructions from ASI Balwinder Singh has submitted that the petitioner has joined the investigation, cooperated and not required for further custodial interrogation at this stage.

Keeping in view the aforesaid statement, order dated 13.12.2019 is made absolute.

(ANIL KSHETARPAL)
JUDGE

24.01.2020
Maninder

Whether speaking/reasoned : Yes
Whether reportable : No