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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.1874 of 2020

Date of Decision:26.07.2021

BALJIT SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Satnam Singh Gill, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.2 dated 02.01.2020 registered under Section 15 of NDPS Act, at Police Station City Samana, District Patiala.

On 17.01.2020, following order was passed:-

“Learned counsel for the petitioner contends that on prior information, SI/SHO reached the house of the petitioner. No independent witness was joined and the case was registered after recovery. On the basis of information given by ASI Shinder Singh, compliance of Section 42 of the NDPS Act ought to have been done. No search warrants were obtained. 13 Kgs. of poppy husk is alleged to have been recovered.

Notice of motion for 23.03.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on

24.01.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 17.01.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Jagtar Singh admits the aforesaid fact and submits that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 17.01.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

26.07.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No