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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.4479 of 2021

Date of Decision:18.08.2021

Gurdev Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.A.S Barnala, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl, AG, 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.331 dated 01.07.2020 registered under Sections 22 and 29 of NDPS Act, at Police Station City Barnala, District Barnala.

On 09.02.2021, following order was passed:-

“1. *Ld. Counsel for the petitioner submits, inter alia, that no recovery was effected from the conscious possession of the petitioner and his name has transpired only from the disclosure statement of the coaccused.*

2. *Submits further that the petitioner is not involved in any other case under the Narcotic Drugs and Psychotropic Substances Act, 1985.*

3. *Notice of motion.*

4. *Mr. B.S. Sewak, Additional Advocate General, Punjab, to accept notice on behalf of the respondent-State. Let a copy*

of the Paperbook be supplied to him.

5. *Now, to come up on 29.04.2021.*

6. *Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-*

I That he shall make himself available for interrogation by a Police Officer as and when required;

II That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;

III That he shall not leave India without prior permission of the Court.

09.02.2021

(SUDIP AHLUWALIA)

Bhumika

JUDGE"

Learned counsel for the petitioner submits that petitioner has been nominated as an accused on the basis of disclosure statement of co-accused Pawanjit Singh. The FIR was registered on the basis of secret information.

Learned counsel for the petitioner submits that in compliance of the order dated 09.02.2021, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Tek Chand admits the aforesaid fact and submits that custodial interrogation of the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 09.02.2021 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.

18.08.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No