

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

**CRM-M-3339-2020
Date of decision: 26.10.2021**

Mohammad Amjad

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Salim Akhtar, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 198 dated 02.10.2019, registered under Sections 21 and 22 of the NDPS Act, 1985 at Police Station Goraya, Jalandhar, District Jalandhar.

Learned counsel for the petitioner submits that the petitioner was not present at the spot and his name surfaced subsequently on the basis of the disclosure statement of other accused.

The operative part of the order dated 27.01.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner contends that interim bail was granted by the Court of Sessions at one point of time, but the petitioner could not join the investigation due to illness.

Notice of motion for 31.03.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 27.01.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Nirmal Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 27.01.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

26.10.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No