

214

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5848-2021
Date of decision-31.08.2021

MOHAMMAD YOUSUF TEELI

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, 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.196 dated 15.07.2020 under Sections 15, 25, 29 NDPS Act 1985, registered at Police Station Shahkot, District Jalandhar (Rural). 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 09.02.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged contraband (125 Kgs poppy husk)

was recovered from the possession of co-accused Amarjit Singh and Malkiat Singh @ Kaka and on their disclosure statement, Mohammad Altaf was arraigned as an accused from whom 100 kgs poppy husk was recovered. He has submitted that the petitioner has been indicted as an accused on the basis of the statement of the co-accused, as he is brother of Mohammad Altaf. He contends that the petitioner is not involved in any other case of similar nature and, therefore, in the given facts, his custodial interrogation may not be necessary.

Notice of motion for 11.05.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified 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 SI Balkar Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 09.02.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

31.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No