

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-4944-2020

Date of decision : 13.12.2021

Deepak Kumar @ Kala

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr.Sarabjit Singh Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.7 dated 08.01.2020 registered under Section 61 of the Punjab Excise Act, 1914 (Section 78 of Excise Act and Section 21/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 added lateron) at Police Station Sadar Rampura, District Bathinda.

On 04.02.2020, a co-ordinate Bench of this Court was pleased to pass the following order:-

“Notice of motion for 29.04.2020.

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

- 1. That he shall make himself available for interrogation by a Police Officer as and when required;*
- 2. 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;*
- 3. That he shall not leave India without prior permission of the Court.”*

Learned counsel for the petitioner has submitted that the petitioner has joined investigation.

Learned State counsel, on instructions from ASI Amrit Pal Singh, has submitted that the petitioner has joined investigation and even the challan has already been presented in the present case and thus, the petitioner is not required for further investigation.

Keeping in view the above said facts and circumstances, the present petition for anticipatory bail is allowed and the interim order dated 04.02.2020 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

December 13, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No