

CRM-M-6806-2021

Date of Decision : 12.10.2021

PUNEET PAL @ DHILLU

...Petitioner

Versus

STATE OF PUNJAB

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. J.S. Thakur, Advocate for the petitioner.
Mr. A.A. Pathak, Addl. A.G., Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.103 dated 15.07.2020, registered under Section 21 NDPS Act, 1985 to which Section 29 NDPS Act, 1985 was added later on at Police Station Lambra, District Jalandhar Rural.

2. On 12.02.2021, the following order was passed:-

“Counsel for the petitioner submits that at the time when the present FIR was registered, the petitioner was in jail in FIR No.99/2014, under Sections 302/307 etc. IPC, and now the petitioner has been acquitted in that case. He has falsely been implicated in the present case. The petitioner cannot operate from the jail and that too in strict supervision of jail authorities. There is no other case against the petitioner.

Notice of motion for 13.05.2021.

Meanwhile, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the

investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

3. Today, learned counsel for the petitioner contends while learned State counsel on instructions from ASI Kulwinder Singh confirms that pursuant to the orders of this Court dated 12.02.2021 and 02.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 12.02.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

5. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

12.10.2021

'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>