

In virtual Court

CRM-M-5117-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5117-2020 (O&M)
Date of decision: 22.07.2021

Harpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.0012 dated 20.02.2019 under Section 21 of NDPS Act and Sections 353, 186, 332, 224, 511, 149 IPC, registered at Police Station Ballianwali, District Bathinda.

While granting interim bail to the petitioner, following order was passed by this Court on 13.02.2020: -

“...Learned counsel for the petitioner submits that six months prior to the incident, the petitioner has sold the vehicle to one Vishal Kumar, from whose possession, the recovery was effected when he was driving the said vehicle.

Learned counsel further submits that in fact the registration

certificate of the said vehicle could not be transferred as the same was financed by a financier and out of total sale consideration of Rs. 4 Lakh, the petitioner has received only Rs. 2 Lakh and remaining Rs. 2 Lakh was paid to the financier. Learned counsel further submits that the FIR was registered on a secret information and on the basis of the same, six persons of the family of said Vishal Kumar have been arrested on account of recovery of 20 grams of Heroin and 1980 intoxicant tablets.

Learned counsel further submits that the petitioner was admittedly not present at the spot and he is sought to be arrested only on the ground that he is the owner of the said vehicle which in fact has already been sold to said Vishal Kumar with valid documents....”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

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

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.02.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

22.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No