

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(219)

CRM No. M-7946 of 2021
Date of Decision : 11.10.2021

Bhola Singh

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vikas Arora, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 320, dated 30.11.2020, registered under Section 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 19.02.2021. Order dated 19.02.2021 is as under:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia contending that in fact the petitioner was allowed anticipatory bail by the Court below, however, on account of ill health he was unable to join the investigation. Consequently, on the statement given

by the Investigating Officer that he did not join the investigation, his bail application was dismissed. So the second bail application was filed. It is further argued that the petitioner has been nominated as an accused only on the statement given by Charno, his wife while in custody which itself would not be admissible. It is contended that alleged recovery has already been effected and nothing is to be recovered from him and he is ready and willing to join the investigation.

Notice of motion.

Ms. Rashmi Attri, AAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

Adjourned to 11.08.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, has filed status report on behalf of respondent No. 1. The same is taken on record. Learned State counsel on instructions from ASI Manjeet Singh states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and the challan has been submitted and no further interrogation of the petitioner is required.

In view of the above, the order dated 19.02.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands disposed of.

October 11, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*