

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-8972 of 2021.

Decided on:- February 25, 2021.

Charan Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. I.P.S. Kohli, Advocate for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in FIR No.120 dated 29.07.2019 under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Mehatpur, District Jalandhar.

Learned counsel for the petitioner submits that vide order dated 25.01.2021 (Annexure P-3), while granting interim bail to the petitioner, learned Additional Sessions Judge/Special Court, Jalandhar directed the petitioner to join investigation within 7 days. However, when the matter came up for hearing before the Special Court on 08.02.2021, the investigation officer had informed the Court that the petitioner has not joined the investigation and as such, vide order dated 08.02.2021 (Annexure P-4), learned Special Court dismissed the application of the petitioner for pre-arrest bail.

He further submits that the petitioner could not join the investigation as he was sick and there was some communication gap between

the petitioner and his conducting counsel. The petitioner undertakes to join the investigation in terms of order dated 25.01.2021 (Annexure P-3) passed by learned Special Court.

Notice of motion.

On asking of this Court, Mr. Avtar Singh Sandhu, Additional Advocate General, Punjab accepts notice on behalf of the respondent-State.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case, but considering the fact that the petitioner was unwell and there was a communication gap between him and his conducting counsel, the petitioner is granted one more opportunity to appear before the investigating officer and to join the investigation in terms of order dated 25.01.2021 (Annexure P-3) passed by learned Special Court.

Learned Judge, Special Court, Jalandhar shall follow the consequent proceedings in continuance of its order dated 25.01.2021 (Annexure P-3), whereby the petitioner was granted interim bail.

Accordingly, while setting aside the impugned order dated 08.02.2021 (Annexure P-4) passed by learned Special Court, the present petition is disposed of in the above terms.

February 25, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No