

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-11476-2021(O&M)
Date of Decision: 02.09.2021**

Darshan Singh

...Petitioner

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G., Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioner has filed the present petition under Section 438 of the Cr.P.C. for grant of anticipatory bail in case FIR No.26 dated 29.01.2021 registered under Sections 21 of NDPS Act (Section 411 of IPC added later on) in Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a coordinate Bench of this Court dated 12.03.2021. Order dated 12.03.2021 is as under:-

“Learned counsel for the petitioner submits that since the wife of petitioner has been apprehended along with 10 grams of heroin and she has named the petitioner, the police has falsely implicated him in the present case. Otherwise, there is no other case against the petitioner.

Notice of motion for 13.05.2021.

In the meantime, 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. ”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Mukhtiar Singh, states that in terms of the order of the Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 12.03.2021 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. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

02.09.2021

ps-I

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned :

Yes

No