

CRM-M No.13007 of 2021
Date of Decision : 19.08.2021

versus

State of PunjabRespondent

Coram : Hon'ble Mr. Justice B.S.Walia

Present : Mr. Krishan Kanha, Advocate for
Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Sukhbeer Singh, Asstt. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No. 12 dated 15.01.2021 registered under Section 18 NDPS Act 1985 at Police Station Kartarpur, District Jalandhar.
3. On 22.03.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel contends that the petitioner has been implicated in the instant case solely on the basis of disclosure statement of co-accused from whom 300 grams of opium was recovered on arrest and who disclosed that the petitioner was accompanying him when he was signaled to stop by the Police. Learned counsel contends that apart from the disclosure statement, there is no other material to connect the petitioner with the commission of the offence, the petitioner has a clean record and is not involved in any other case, besides the petitioner is ready and willing to join

investigation and fully cooperate with the police.

Notice of motion.

Mr. Sarabjit Singh Cheema, AAG, Punjab, accepts notice on behalf of the State and requests for time to file reply.

Adjourned to 30.04.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail subject to his furnishing bail bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *SI Hardeep Singh* confirms that pursuant to the order of this Court dated 22.03.2021, 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.

5. In view of the statement of learned State counsel, order dated 22.03.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

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

(B.S. Walia)
Judge

19.08.2021
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<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>