

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13588-2021 (O&M)
Date of Decision:-27.9.2021

Varun Sharda @ Veenu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manuj Nagrath, Advocate for the petitioner.

Mr. Harpreet S. Multani, AAG, Punjab,
assisted by Sub Inspector Amarjit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.48 dated 3.3.2021 at Police Station Dehlon, District Ludhiana under Section 15 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion on 24.3.2021, the following order was passed:

“Learned counsel for the petitioner submits that the petitioner herein has been falsely implicated in the instant FIR. It is submitted that the petitioner is neither owner of the truck carrying the alleged contraband nor apprehended on the spot. It is argued that there is no allegation in the FIR that he was driving the truck

and had run away on seeing the raiding party. It is also submitted that 40 kilogram poppy husk is alleged to have been recovered from the truck, which is non-commercial quantity and as such no custodial interrogation of the petitioner is required.

Notice of motion.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab, who is present through the medium of video conferencing, accepts notice on behalf of the respondent—State and opposes the grant of anticipatory bail on the ground that the petitioner was named in the secret information received regarding carrying of contraband. She seeks time to file reply.

Adjourned to 27.9.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest 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 as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from Sub Inspector Amarjit Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position, wherein the petitioner was never arrested at the spot and is stated to have joined investigation and is not even required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 24.3.2021 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer

and shall also abide by the conditions as provided under Section 438(2)
Cr.P.C.

27.9.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No