

CRM-M-14286-2021

Date of Decision: 14.09.2021.

Jatinder Kumar

...Petitioner

vs.

State of Punjab

...Respondent

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

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, 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.13 dated 02.02.2021, registered under Sections 21, 29, NDPS Act, 1985 and Section 25 Arms Act 1959 at Police Station Bullowal, District Hoshiarpur.

3. On 26.03.2021, the following order was passed:-

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19. Learned counsel for the petitioner submits that in the disclosure statement made by co-accused Amritpal Singh @ Amrit, there is no allegation against the petitioner as regards the NDPS contraband. He further submits that there is no other case against the petitioner under the NDPS Act.

Notice of motion for 26.05.2021.

Meanwhile, 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.PC.”

4. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from *ASI Kulwant Singh* confirms that pursuant to the order of this Court dated 26.03.2021, 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 26.03.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

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

(B.S. Walia)
Judge

14.09.2021

Sapna

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