

210

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20181-2021
Date of decision-26.10.2021

BACHITAR SINGH

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.48 dated 18.02.2021, under Sections 22(B)/29 NDPS Act, 1985, registered at Police Station Cheeka, District Kaithal. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

There is no representation on behalf of the petitioner.

This Court while issuing notice of motion to the respondent-State on 20.05.2021 had extended the interim protection to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged contraband (7.88 grams smack) was recovered from co-accused Kulbir Singh, who was arrested on the spot and subsequently, on his disclosure statement, the petitioner has been indicted as an accused. According to him, in the given fact, the custodial

interrogation of the petitioner may not be necessary.

Notice of motion for 26.10.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel who is assisted by SI Kulwinder does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 20.05.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.10.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No