

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

CRM-M-20600-2021 (O&M)
Date of Decision:-20.9.2021

Jacky ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Raj Kumar.

(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.21 dated 18.2.2021 at Police Station Sadar Raikot, District Ludhiana under Sections 15 and 25 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion on 24.5.2021, the following order was passed:

“Learned counsel for the petitioner contends that it is a case where 18 kg of ‘Poppy Husk’ was recovered from an abandoned car. It has been submitted that since no document/registration certificate was found in the car, the police made inquiries and arrested the registered owner namely Baljit Singh and subsequently in order to

shield him, the police has come out with a version that the said Baljit Singh had sold the vehicle to the petitioner though there is no evidence to support the said assertion.

It has further been submitted that the petitioner has a clean record and has not ever been involved in any identical case earlier.

Notice of motion for 20.9.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Raj Kumar, 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 and that he is not involved in any other case.
4. Having regard to the fact that the petitioner was never arrested at the spot and is stated to have joined investigation and is also stated to be having a clean record, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 24.5.2021 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.

20.9.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**