

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-20427 of 2021
Date of Decision : 15.09.2021

Amarjeet Singh

..Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.35 dated 17.03.2021 registered under Sections 18 & 25, (Sections 27 and 29 added later on) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bareta, District Mansa.

On 21.05.2021, a Coordinate Bench of this Court had passed the following order:-

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in case FIR No.35, dated 17.03.2021 under Sections 18/25 of the NDPS Act (Sections 27/29 were added later on), registered at Police Station Bareta, District Mansa.

Counsel submits that as per prosecution

version, an alleged recovery of 70 grams of opium was effected from the conscious possession of co-accused, Mithu Singh (non-applicant).

Present petitioner is sought to be implicated only on the strength of a disclosure statement made by co-accused. Further categorical submission made by counsel is that the petitioner is not involved in any other case under the NDPS Act.

Notice of motion, returnable for 15.09.2021.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from HC Mukhtiar Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is not required for further interrogation, at this stage.

In view of the above, the order dated 21.05.2021 passed by a Coordinate Bench of this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is

not cooperating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 15, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No