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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20617-2021
Date of decision-28.10.2021

SANDEEP SINGH ALIAS SONU

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure, 1973 read with Section 482 Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 0041 dated 03.03.2021, under Sections 21(b), 61 and 85 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Cantonment, District Amritsar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 24.05.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged

contraband (35 grams heroin) was recovered from co-accused Varinder Singh @ Babbar, who was arrested on the spot. He further submits that according to the prosecution, the petitioner, who was driving the motorcycle ran away from the spot and his name was disclosed by the said co-accused. According to him, the pillion rider tried to throw away the contraband and, therefore, the petitioner cannot be connected with the crime.

Notice of motion for 28.10.2021.

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 counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Amrik Singh 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 24.05.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

28.10.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No