

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-20967-2021 (O & M)
Date of Decision: August 10, 2021**

SUKHDEV SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.L.S. Sekhon, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.32 dated 24.04.2021, under Sections 22 and 29 of the NDPS Act, 1985, registered at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. The recovery of 160 tablets of Tramadol and 230 tablets of Alprazolam is stated to be effected from the co-accused Subhash Chand. The recovery is of non-commercial quantity. The petitioner has been arraigned as an accused on the statement of Subhash Chand. The petitioner is not involved in any other case under the NDPS Act.

This Court, by the order dated 26.05.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel has filed reply by way of affidavit of Deputy Superintendent of Police, Sub Division, Moonak wherein it is stated that the petitioner has been arraigned as an accused on the statement of co-accused. In the reply, there is no reference to any other material besides the statement of the co-accused to implicate the petitioner in the case. He, upon instructions from ASI Baljit Singh, states that although the petitioner has joined investigation but he is not cooperating.

In view of the above and the petitioner having joined investigation, the order dated 26.05.2021 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

August 10, 2021
A.Kaundal

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