

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-21604-2021

Date of decision : 31.08.2021.

Mohammad Ashraf

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Harsh Goyal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.16 dated 15.01.2021, under Section 22 of the NDPS Act, registered at Police Station Sadar Nabha.

A Coordinate Bench of this Court on 03.06.2021, had passed the following order:-

“This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Learned counsel for the petitioner argues that petitioner is sought to be implicated in FIR No. 16 dated 15.01.2021, under Section 22 of the NDPS Act, registered at Police Station Sadar Nabha, District Patiala, merely on the basis of disclosure statement of the co-accused Amzad Khan, who was apprehended at the spot along with the other co-accused Abdul Hamid. Learned counsel for the petitioner further submits that there is no evidence whatsoever to indicate the petitioner having sold the contraband to the co-accused. Moreover, petitioner is not involved in

any such criminal cases under the NDPS Act.

Notice of motion.

Mr. Sukhbeer Singh, Asst. A.G., Punjab, to whom an advance copy of the petition has been supplied, accepts notice on behalf of the respondent-State. Learned counsel for the State, on instructions from ASI Krishan Lal, confirms that petitioner is not involved in any other criminal case under the NDPS Act.

At request of learned counsel for the petitioner, adjourned to 31.08.2021.

In the meanwhile, petitioner shall join investigation as and when required by the Investigating Officer. In the event of his arrest, petitioner shall be released on bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions from ASI Panjab Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 03.06.2021 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 31, 2021
sonia gugnani

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